

# EXHIBIT G

1

2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 ----- x

SABINA PARADI, ET AL.,

5

Plaintiff,

6

07 CIV 3640(JCF)

7

-against-

JDB

8

MICHAEL R. PHILLIPS,

9

Defendant.

10 ----- x

11

12

13

DEPOSITION of a Nonparty Witness,

14

MATTHEW CHIN BLANK, taken pursuant to Subpoena,

15

held at the offices of Barrister Reporting

16

Service, Inc., 120 Broadway, New York, New York,

17

on August 27, 2007, at 11:23 a.m., before a Notary

18

Public of the State of New York.

19

20

21

22

\*\*\*\*\*

BARRISTER REPORTING SERVICE, INC.

23

120 Broadway

New York, N.Y. 10271

24

212-732-8066

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S:

DE CARO & KAPLEN, ESQS.  
Attorneys for Plaintiffs  
20 Vesey Street  
New York, New York 10007

BY: MICHAEL V. KAPLEN, ESQ.

JAMES D. BUTLER, PA  
Attorneys for  
TRAVELERS OF NEW JERSEY  
591 Summit Avenue  
Jersey City, New Jersey 07306-2703

BY: JAMES D. BUTLER, ESQ.

BARRY, MC TIERNAN & WEDINGER, ESQS.  
Attorneys for Defendant  
1024 Amboy Avenue  
Edison, New Jersey 08837

BY: SEAN M. CONNELLY, ESQ.

XXXXXX

1

2

3

S T I P U L A T I O N S

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

xxxxx

22

23

24

25

1 Blank

2 M A T T H E W C H I N B L A N K ,

3 having been first duly sworn before a Notary

4 Public of the State of New York, was examined and

5 testified as follows:

6 EXAMINATION BY

7 MR. BUTLER:

8 Q What is your name?

9 A Matthew Chin Blank.

10 Q What is your address?

11 A 61 Bayard Street, New York, New York  
12 10013.

13 Q Mr. Blank, how did Sabina refer to you  
14 as Matt, Matthew?

15 A I'm sorry, how did she refer to me?

16 Q Matt, Mattheew?

17 A Matt.

18 Q How would you refer to her?

19 A Sabina.

20 Q So I will use those names if it is  
21 okay with you?

22 A Yes.

23 Q My name is Butler and I represent  
24 Michael Phillips in connection with a suit  
25 instituted by the family of Sabina in

1 Blank

2 connection with an incident on February 25th  
3 of 2007 at West 37th Street and Ninth Avenue.  
4 You have some familiarity with that incident,  
5 do you not?

6 A Yes, I do.

7 Q Have you ever had your deposition  
8 taken before?

9 A I never have.

10 Q Have you ever testified in any kind of  
11 a court or legal proceeding?

12 A No, sir.

13 Q This is your maiden voyage?

14 A Yes. Bear with me.

15 Q Bear with me, please.

16 A All right.

17 Q Very simply, let me ask you, you are  
18 not represented by any counsel here today,  
19 are you?

20 A No.

21 Q I will ask you some questions and  
22 perhaps Mr. Kaplen or Mr. Connelly will ask  
23 you questions and your answers to those  
24 questions are under oath are taken down by  
25 Mr. Iodice, and those answers will be used

1 Blank

2 when this case is tried before Judge Francis  
3 sometime probably early next year. Do you  
4 understand that?

5 A I understand that.

6 Q Your testimony here today is the, has  
7 the same force and effect as if you testified  
8 in a court before a judge and jury.

9 A Okay.

10 Q And for that reason, if you don't  
11 understand completely my question or anyone  
12 else's question, you must tell us.

13 A Yes.

14 Q The reason for that is if you answer a  
15 question, we, and more importantly, the judge  
16 and jury, will assume that you understood the  
17 question. So if there is any question at all  
18 about what I am saying or what I mean or what  
19 the intent is, you will let us know?

20 A Absolutely.

21 MR. KAPLEN: I will object to  
22 that statement for the record. I will  
23 point out before we start here that  
24 defense counsel and I have an  
25 understanding that Mr. Butler is aware

1 Blank

2 that Sabina Paradi has passed away and  
3 despite the fact that an official or  
4 substitution has not been made in this  
5 case and an amended complaint has not  
6 been served as of this time, we are  
7 going forward with this deposition  
8 today as we went forward with the  
9 deposition of Sabrina's parents and  
10 the defendants as if those events had  
11 taken place, and this deposition will  
12 be used as was those for all purposes  
13 in accordance with the federal rules.

14 MR. BUTLER: That is correct.

15 MR. KAPLEN: And no offense to  
16 Mr. Connelly, I will object to any  
17 questions that he might have today as  
18 he is not a party to these  
19 proceedings. He informed me that he  
20 is representing the defendant here  
21 personally and is certainly invited to  
22 be in the room, but I will object to  
23 any questions that he may have.

24 Q How tall are you?

25 A About five-ten, five feet eleven.



1 Blank

2 Q You were the same height on February  
3 the 25th?

4 A Yes.

5 Q How long have you lived in New York?

6 A About three and a half years now.

7 Q Always on Bayard Street?

8 A Two different addresses on Bayard,  
9 always in Chinatown.

10 Q Where did you come from?

11 A California, San Diego before this:

12 Q Were you raised in San Diego?

13 A The Silicone Valley area, Bay area and  
14 I went to school in San Diego.

15 Q UCSD?

16 A Yes.

17 Q What did you study?

18 A Theater and music.

19 Q You have your Bachelor's?

20 A No. I transferred to Pace University  
21 to do business.

22 Q To study business?

23 A Yes.

24 Q How many years were you at UCSD?

25 A Just under two. Just under two.

1 Blank

2 Q Had you lived in the Bay area,  
3 Silicone Valley or San Diego area your entire  
4 life?

5 A From the age of four, I lived in  
6 California and we were in Massachusetts  
7 before that. From four until 21, I was in  
8 California.

9 Q When you were in California, did you  
10 know Sabina?

11 A I did not.

12 Q Did you have any contact with her at  
13 all when you were in California?

14 A No.

15 Q You didn't know of her existence?

16 A No.

17 Q When did you come to New York to go to  
18 Pace?

19 A I came to New York in January of '04.

20 Q Did you matriculate at Pace right  
21 away?

22 A No. I'm sorry, I matriculated first  
23 at Marymount Manhattan briefly and went to  
24 Pace.

25 Q For how long were you at Marymount

1 Blank

2 Manhattan?

3 A One semester. I took some time off.

4 Q When did you first come to New York to  
5 attend school?

6 A January 2004.

7 Q That was September of '04 you started  
8 at Pace?

9 A I took almost a year off. I started  
10 Pace beginning of '06.

11 Q During the period when you were at  
12 Marymount Manhattan during the year that you  
13 had a sabbatical and during the year that you  
14 started Pace, were you also employed?

15 A I was employed from November of 2004  
16 and have been consistently.

17 Q To date, same --

18 A Same industry, different employers.

19 Q That industry is?

20 A Theater. Theater.

21 Q What would be your functions?

22 A Initially the first few jobs were all  
23 on theater staff, Broadway shows and I now  
24 work in theater journalism.

25 Q Playbill?

1 Blank

2 A Yes.

3 Q I have a few suggestions on that, but

4 I won't go into that.

5 A I will be happy to take them.

6 Q And Playbill is in Queens?

7 A That office is in Woodside, Queens.

8 Q Do you own a car?

9 A I do not own a car.

10 Q Did you drive a car while you were in

11 California?

12 A Yes.

13 Q Okay.

14 A From the age of 16 until I left.

15 Q What is your date of birth?

16 A January 9, 1983.

17 Q You are 24 now?

18 A Yes.

19 Q Have you ever rented any cars while in

20 New York?

21 A No, I have never driven in New York.

22 Q Never driven at all, anybody else's

23 car?

24 A Not in New York City.

25 Q How about in New York State?

1 Blank

2 A No.

3 Q The last time you would have driven is  
4 back in 2004 when you left California?

5 A 2004. I have been back and forth to  
6 California, a good amount. My last time  
7 was -- my last time driving was I would say  
8 not more than six months ago. I was visiting  
9 family in Jersey. I go back to California  
10 fairly consistently.

11 Q When you visit family in Jersey, you  
12 drive?

13 A Yes.

14 Q And also California?

15 A Yes.

16 Q What was your first contact with  
17 Sabina?

18 A It was at a group of mutual friends, I  
19 want to say the first week of February.

20 Q Of this year?

21 A Of this year, yes, yes. It was  
22 somewhere in Soho, mutual friends that we had  
23 from NYU.

24 Q NYU, do you have some connection with  
25 them?

1 Blank

2 A No. These are social friends that go  
3 to NYU.

4 Q That was at a party or group  
5 gathering?

6 A Just a little bar gathering, like ten  
7 people.

8 Q That was prior to February of '07 when  
9 you -- at that gathering, had you ever met  
10 Sabina?

11 A I had not. That was the first time.

12 Q Had you ever spoken with her?

13 A No.

14 Q Had you ever known of her existence?

15 A No, turned out we had several friends  
16 in common, but I never heard of her.

17 Q Were the friends in common from  
18 California or New York?

19 A California, that is how it all turned  
20 out. A lot of people were there, but I did  
21 not know Sabina before then.

22 Q Did you spend time with Sabina at this  
23 social gathering of ten people?

24 A Yes, yes.

25 Q Approximately how much time did you

1 Blank

2 spend?

3 A Hard to say. We talked -- about an  
4 hour, it was not a long gathering.

5 Q Between that date and the date of  
6 February 25th, were you in Sabina's presence  
7 at all?

8 A Yes. Yes. We had one other group  
9 gathering I would say somewhere in the two  
10 weeks following the first meeting. It was  
11 the same group of friends. That was the  
12 one -- that was the one other time.

13 Q In between those two meetings, did you  
14 at any time speak with Sabina?

15 A Yes. We talked on the internet and on  
16 the phone, a little bit.

17 Q Do you have an internet address?

18 A Yes.

19 Q You call it an address?

20 A Yes, an Email address.

21 Q What is that?

22 A I will give you NYC, New York City,  
23 MATT83 at Gmail.com.

24 Q Is the 83 -- is the 83 of some  
25 significance?

1 Blank

2 A The year I was born.

3 Q Gmail.com?

4 A Gmail.com.

5 Q Do you recall Sabina's Email address?

6 A I think it might have been her name at  
7 Gmail, but I'm not sure if it was a dot in  
8 there, I don't know, I don't know exactly.

9 Q Her full name Sabina Paradi?

10 A I believe so.

11 Q Was that at dot com?

12 A Yes. It was Gmail.

13 Q Is your telephone number 408-892-8847?

14 A Yes.

15 Q Is that a cell phone?

16 A That is my only phone, cell phone,  
17 yes.

18 Q You have no phone in your residence?

19 A No.

20 Q When you would speak to Sabina, would  
21 that be on her cell phone?

22 A Yes, the phone conversations were  
23 minimal. It was more planning.

24 Q Do you recall her cell number?

25 A No, I don't.



1 Blank

2 Q So would it be mainly by Email?

3 A It wasn't Email. What kids do now,  
4 these social on-line network things. It is  
5 the same idea as Email messaging.

6 Q Mr. Kaplen and Mr. Connelly and I like  
7 to think that we are kids, but I am afraid  
8 that we are past that stage.

9 A Well, the same idea as Email, but not  
10 through Gmail. It was through this Facebook,  
11 like Myspace.

12 Q If one were to look to see if there  
13 was any messages that you had with Sabina,  
14 where would one look?

15 A You would have to have access to our  
16 accounts.

17 Q Assuming there was access?

18 A That would be Facebook.com.

19 Q Two words?

20 A All one word. All one word.

21 Q In that period I am now speaking  
22 about, the period between the first social  
23 gathering and the second one about two weeks  
24 later, was that also in Soho?

25 A It was downtown. It was closer to

1 Blank

2 around St. Marks.

3 Q In that period, approximately how many  
4 times did you speak to Sabina on the phone?

5 A Not at all in that period. We talked  
6 on the internet. The only other times we  
7 talked on the phone is leading up to when we  
8 went out, which was just that week trying to  
9 plan a time.

10 Q How many Facebook or Gmail messages  
11 did you send to her during that period of  
12 time?

13 A Hard to remember. Five maybe.

14 Q How many did she send to you?

15 A About the same amount.

16 Q In general, what was the nature of the  
17 E-mails or messages?

18 A Kind of innocuous, good meeting you,  
19 have you been to this place, we should get  
20 together sometime. You know, various common  
21 interests, and just trying to set up a time  
22 together to go see a show or something. We  
23 were both very busy people, so.

24 Q During this period, were you attending  
25 class at Pace?

1 Blank

2 A No.

3 Q Were you attending class anywhere?

4 A No, working two jobs.

5 Q One at Playbill?

6 A Yes.

7 Q And the other one?

8 A At the Schoenfeld Theater.

9 Q As?

10 A I'm sorry?

11 Q As?

12 A House staff.

13 Q Doing what?

14 A That is a fancy word for usher work,  
15 for Chorus Line.

16 Q That would be Tuesday through Sunday  
17 night and Saturday matinees?

18 A Eight shows a week, those are the  
19 dates, generally, it changes now and then.

20 Q You wouldn't have Wednesday afternoon?

21 A I would -- I was working the Wednesday  
22 matinee and I don't know because my office  
23 job now requires more hours, but the office  
24 job is Monday through Friday and theater is  
25 Tuesday -- the theater job is Tuesday through

1 Blank

2 Sunday.

3 Q Playbill is not a full-time job?

4 A Full-time hours, but I might do both  
5 for union-preferred insurance reasons.

6 Ushering has better health insurance.

7 Q Are you a member of the union?

8 A Yes.

9 Q What is that?

10 A IATSE Local 306.

11 Q International Association of Theater?

12 A Theatrical Stage Employees.

13 Q Between the first function group and  
14 the second group function, did you ever see  
15 Sabina?

16 A No.

17 Q When you went to the second group  
18 function, did you know she was going to be  
19 there?

20 A No.

21 Q She was there and you were there?

22 A I had an inkling it was a group of  
23 closer mutual friends a -- a bunch of people  
24 are going out here to see what is up.

25 Q At either one of these, did you have a

1 Blank

2 date with anybody else, did you bring a date?

3 A No. To the functions, no.

4 Q You then met with Sabina at the second  
5 affair?

6 A Yes. We talked, you know.

7 Q For approximately how long?

8 A It was not as long of a thing. Not  
9 long. Half hour, maybe. Small talk, what  
10 have you been doing in the past two weeks,  
11 things like that.

12 Q At that group meeting, did you make  
13 any plans for any future meetings with  
14 Sabina?

15 A I am sure something was said, you  
16 know, we need to -- kind of, you know, you  
17 wind up saying that to a lot of people, we  
18 should get together and sometimes you do.

19 Q Nothing specifically?

20 A We didn't make specific plans.

21 Q That would be sometime around the  
22 middle of February apparently?

23 A Yes. We are looking at -- yes, I  
24 don't know the exact dates, that is about  
25 right.

1 Blank

2 Q Between that time and the 25th of  
3 February, did you see Sabina?

4 A No.

5 Q During that time and the 25th of  
6 February, did you speak with Sabina by phone?

7 A Yes.

8 Q Approximately how many times?

9 A Two or three times in the week leading  
10 up to when we went out to try to make plans.

11 Q In that period between that second  
12 group affair and the 25th of February, did  
13 you have Email messages with her?

14 A I am not certain there were E-mails.  
15 May have been a Facebook message or two, but  
16 the same idea.

17 Q Just for the education of those of  
18 us --

19 A There is so much of it now.

20 Q Is there a difference between Email  
21 and Facebook or is it the same thing?

22 A Functionally the messaging is the same  
23 idea. Just Email, you can send it to anybody  
24 with an address and Facebook, you need to be  
25 a member of the community.

1 Blank

2 Q If I referred to it as an electronic  
3 message, would that cover it?

4 A Yes.

5 Q Would you have the electronic  
6 messages?

7 A Yes.

8 Q Approximately how many?

9 A In that week, maybe one.

10 Q Between the second group meeting and  
11 the 25th?

12 A Yes. And in that week, it went from  
13 writing, oh, we should get together to  
14 actually being on the phone, let's get  
15 together, let's plan a time.

16 Q Other than the two group meetings that  
17 you told us about and the time when you had  
18 the date on February 25th, were there any  
19 other times that you actually physically were  
20 with Sabina?

21 A No.

22 Q During the conversations that you had  
23 at the group meetings, and by electronic  
24 messaging and phone, did you ever discuss  
25 anything about her future plans or your

1 Blank

2 future plans or was it just --

3 A A little bit.

4 Q What did you discuss?

5 A You know, earlier meetings, you know,  
6 where did you go to school, what are you  
7 studying. So we knew what each other's  
8 fields were and I got an idea of, kind of  
9 what she wanted to do.

10 Q What was that?

11 A I believe she wanted to go into the  
12 pediatric side, nutritional medicine.

13 Q What did she say about that?

14 A About what part of that, about why she  
15 wanted to do it or.

16 Q What she intended or wanted to do?

17 A That she was always interested in  
18 medicine and wanted to go to med school, but  
19 kind of found her niche more with the  
20 nutritional medicine and liked working with  
21 kids and that seemed to be where it was  
22 leading given the fellowship she was taking  
23 part in.

24 Q Did you express to her what your hopes  
25 and fears of all of the years might have



1 Blank

2 been?

3 A Yes.

4 Q What were they?

5 A My aspirations, within my industry and  
6 still needing to finish school at some point  
7 and just trying to reconcile the money with  
8 the degree and things like that just career  
9 and educational goals.

10 Q You have been in New York since  
11 February of 2004?

12 A January of '04.

13 Q January of '04?

14 A Yes.

15 Q Generally you were in New York for  
16 about three years during the time of this  
17 incident?

18 A Just over three years.

19 Q In a normal course of events, how  
20 would you get around New York?

21 A Subway.

22 Q Did you ever take taxis?

23 A Only when necessary, late at night,  
24 but pretty much I am a subway person.

25 Q Buses?

1 Blank

2 A Rarely.

3 Q How about in bad weather?

4 A Bad weather, invariably you wind up on  
5 the trains. You can't get a cab. I am near  
6 so many stops, I am by Canal Street. So it  
7 always made sense.

8 Q When you would have dates with women,  
9 ladies, how would you get about?

10 A Usually on the subway, unless it was  
11 very, very late. You try not to take the  
12 train after 1:00 on a weekend. It takes so  
13 long.

14 Q When you didn't take the train, you  
15 mean the subway?

16 A Yes.

17 Q When you didn't take the subway, how  
18 would you get about?

19 A Taxi.

20 Q In bad weather, with any of these  
21 ladies, how would you get about?

22 A It didn't happen that often. I am  
23 busy in the winter.

24 Q You would try to get a taxi if you  
25 could?

1 Blank

2 A Yes or meet -- if you are talking in  
3 bad weather like cold out?

4 Q Raining or snowing?

5 A It was more advisable to take the  
6 train because you are underground. If you  
7 were standing outside in the street flagging  
8 down a cab in the pouring rain, you won't get  
9 one and you will just get wet. I am very  
10 much a train or subway person.

11 Q After the accident when Sabina was in  
12 the hospital, did you go to see her?

13 A For the first, I would say two months,  
14 I was there every day. I didn't miss a day  
15 for a couple of months.

16 Q That was at St. Vincent's?

17 A Yes.

18 Q How about after that?

19 A After that, at about the time when she  
20 was moved uptown, it became less and less.

21 Q When she was at Presbyterian Hospital?

22 A Yes.

23 Q How often did you go?

24 A For a while she went to -- upstate.

25 Q Helen Hayes?

1 Blank

2 A The first stint at Columbia, I tried  
3 to get there maybe once or twice a week.

4 Q Did you go up to Helen Hayes?

5 A I didn't.

6 Q How about the second stint?

7 A I can't say what the average was.

8 Maybe it was once a week, on the weekend. I  
9 would always, I would always be on the phone  
10 with those that visited just to see what was  
11 going on.

12 Q Who would you be on the phone with?

13 A Just various other local friends who  
14 were up there and also a lot of her -- since  
15 that was the hospital where she worked,  
16 several of them were working anyway. So they  
17 were able to be there pretty much around the  
18 clock.

19 Q Who were the people that you spoke to,  
20 you said by phone?

21 A Yes.

22 Q Who were they?

23 A A girl named Susan, Christine Lee, I  
24 usually recall she was up there a lot.

25 Q Christine Lee?

1 Blank

2 A Yes. Two E's.

3 Q How about Susan's last name?

4 A That will come to me. Marshal,

5 Marshal.

6 Q Do they both work up at Columbia?

7 A Susan does.

8 Q In nutrition?

9 A Yes. I think they are interns in the  
10 same program.

11 Q The two of them?

12 A Just Susan, I'm sorry.

13 Q Do you know where Susan Marshal works?

14 A Up there, I don't know where she is  
15 currently. She works at the hospital.

16 Q At Presbyterian?

17 A Yes. Or through Presbyterian at  
18 different sites depending on the rotation.

19 Q Like up at Allen --

20 A Yes, like if they are going through a  
21 cancer rotation, they might put them  
22 somewhere else.

23 Q Anybody else you would speak to  
24 besides Susan and Christine?

25 A Fellow named Ron Penolio is up there

1 Blank

2 quite a bit. Generally Susan was the best  
3 one to call because she was always there.

4 Q Did Ron work there?

5 A No. He was a childhood friend of  
6 hers.

7 Q From California?

8 A Who happens to live here.

9 Q You would find out about her condition  
10 and how she was doing, et cetera?

11 A Yes.

12 Q During any of the times when you  
13 visited Sabina, did she ever speak?

14 A She never verbalized. She never spoke  
15 words.

16 Q This would be during this daily -- the  
17 daily visits were about two month and twice a  
18 week during her first stay at Columbia, maybe  
19 once a week during that entire time?

20 A Correct.

21 Q On the 25th of February, where did you  
22 meet with Sabina?

23 A The corner of 42nd and Eighth Avenue  
24 just off of the C train, the blue line.

25 Q Had you ever been to the nurse's

1 Blank

2 facility at Cornell -- at the Cornell portion  
3 of the New York Hospital where Sabina was  
4 living?

5 A No.

6 Q Other than the two group meetings, was  
7 that the first time that you had seen  
8 physically seen Sabina?

9 A Yes. That was the third time ever  
10 that I had physically seen her, the first  
11 time on a one-on-one capacity.

12 Q All right. Do you remember what she  
13 was wearing?

14 A Yes, it was a sweater, it was kind of  
15 a light, light brown tannish woven sweater  
16 and I think jeans.

17 Q By jeans, you mean denim blue?

18 A Yes.

19 Q Did she have any outerwear?

20 A She had a coat with her. I don't  
21 recall if she was wearing it at the time.

22 Q Do you recall what color the coat was?

23 A No.

24 Q Was it a full length coat?

25 A I honestly don't remember the exact

1 Blank

2 style of it. I don't think it was an  
3 overcoat. It just -- it was not horribly  
4 cold out, just a little cover.

5 Q Did she have any kind of head gear?

6 A No.

7 Q Do you recall what kind of shoes she  
8 was wearing and/or outer shoes?

9 A I have no idea.

10 Q You don't know if she was wearing  
11 rubbers or galoshes or anything?

12 A No. I can't say for sure. I can't  
13 manage they would be open toe as it was a  
14 chilly day. It was a little chilly.

15 Q When you met, was she carrying  
16 anything?

17 A A bag. She had a purse, bag.

18 Q You indicated your shoulder, was it a  
19 shoulder bag?

20 A Yes.

21 Q Do you recall what color that was?

22 A I do not.

23 Q What were you wearing?

24 A I was wearing a blue, same style shirt  
25 as this, button down shirt, blue and white



1 Blank

2 stripes.

3 Q Like the one you have on now?

4 A Yes, different pattern, different  
5 pattern, but same style shirt.

6 Q Same basically?

7 A Yes, and tan linen pants.

8 Q Any outerwear?

9 A I had a -- I had with me my overcoat.

10 Q What color is that?

11 A Darkish gray, black.

12 Q Were you wearing the overcoat at the  
13 time of the accident?

14 A I believe I was.

15 Q What kind of footwear did you have?

16 A I believe they were these shoes,  
17 actually, black shoes, black, whatever you  
18 call them, leather dress shoes.

19 Q What kind of soles are on them?

20 A Rubber, I believe.

21 Q Rubber?

22 A Yes.

23 Q Did you have any kind of head gear?

24 A No.

25 Q When you met her, were you carrying

1 Blank

2 anything?

3 A Just a bag, I always have my messenger  
4 bag.

5 Q Is that a shoulder bag?

6 A It is over the shoulder, messenger  
7 bag, one shoulder.

8 Q Is it that same bag?

9 A Same bag, different generation of it.

10 Q What color was that?

11 A Black.

12 Q Did either one of you have an  
13 umbrella?

14 A I had it. It was in my bag.

15 Q Is this a fold-up kind?

16 A No, one of those Canal Street ones,  
17 three dollar ones.

18 Q It folds up?

19 A It does not fold, but it springs out,  
20 the ones that last for a week.

21 Q What color is that?

22 A Black.

23 Q Did Sabina also have an umbrella?

24 A She did not have an umbrella with her.

25 Q When you met at 42nd Street and Eighth

1 Blank

2 Avenue, was there a specific place there that  
3 you met?

4 A Outside of the Duane Reade.

5 Q What time did you leave?

6 A About 5:30.

7 Q Do you remember the day of the week  
8 that it was?

9 A Sunday.

10 Q Had there been any proposed dates  
11 before this, that for whatever reason were  
12 not kept?

13 A Nothing official. This was the first  
14 planned and successful meeting.

15 Q What were the plans for the evening?

16 A I had tickets to a show at 7:30, over  
17 at 37th and Tenth and we met and went to  
18 dinner.

19 Q What show was that?

20 A It is called In the Heights.

21 Q Off Broadway?

22 A Off Broadway, currently on its way to  
23 Broadway.

24 Q In The Heights?

25 A Yes.

1 Blank

2 Q What theater is that?

3 A 37 -- excuse me, 37 Arts Center.

4 Q Is that on 37th between Ninth and  
5 Tenth?

6 A Yes. Closer to Tenth.

7 Q Which side of 37th is it on?

8 A South side.

9 Q Did you go directly from the Duane  
10 Reade at 42nd and Eighth to the theater?

11 A No. We went to dinner on Ninth  
12 Avenue.

13 Q Where is that?

14 A Film Center Cafe on Ninth and 44th, I  
15 think.

16 Q How did you get from Duane Reade over  
17 to the Film Center Cafe?

18 A Walked.

19 Q How was the weather then?

20 A It was very nice at that point. It  
21 was clear.

22 Q Approximately how long were you at the  
23 Film Center having the meal?

24 A I would say right around an hour.

25 Q Did you proceed from there to the

1 Blank

2 theater?

3 A Yes.

4 Q How did you get from there to the  
5 theater?

6 A Just walked seven blocks down.

7 Q How was the weather then?

8 A On the walk from dinner to the  
9 theater, it had just started to snow very,  
10 very lightly. Just some flurries.

11 Q Was it snowing to the extent that you  
12 had to take your umbrella out?

13 A No. At that point, it was so light,  
14 it was more just like visually pleasing.

15 Q Did you or Sabina have any  
16 difficulties in walking?

17 A No.

18 Q You got to the theater sometime just  
19 around 7:30?

20 A Yes.

21 Q Did you stay for the entire show?

22 A Yes.

23 Q Approximately what time -- do you know  
24 how long the show was?

25 A The show was -- I am having trouble

1 Blank

2 recalling if it was a 7:00 or 7:30 curtain.

3 The show runs a little over two hours. So we

4 got out of there probably about 9:15. So

5 probably around a 7 o'clock curtain.

6 Q You got out 9:15 roughly?

7 A Yes.

8 Q Would it be fair to say while at the

9 theater other than -- I assume this is a

10 dramatic play, not a musical?

11 A It is a musical.

12 Q There would be one intermission?

13 A Yes.

14 Q Other than the intermission, would it

15 be fair to say that both you and Sabina, your

16 concentration was on the show?

17 A Yes, during the show.

18 Q 15-minute intermission?

19 A Yes.

20 Q What did you discuss during the

21 intermission?

22 A The show mainly. It is my ninth time

23 seeing it. It is a very good show.

24 Q It must be.

25 A Yes.

1 Blank

2 Q Had Sabina seen it before?

3 A No.

4 Q Did she like it?

5 A Yes.

6 Q During the intermission, did you stay  
7 in the theater or did you go out in the  
8 street?

9 A Stayed in the theater.

10 Q During the intermission, were you  
11 aware of what the weather was like outside by  
12 people coming in or talking?

13 A No, we stayed at the seats. I think I  
14 ran to the restroom. The orchestra of that  
15 theater is underground. I didn't see  
16 outside.

17 Q You were in the orchestra?

18 A Yes.

19 Q When the show was over at  
20 approximately 9:15, what did you do?

21 A Just went upstairs and kind of  
22 discussed what the next plan was and decided  
23 that we were going to just go get a drink  
24 over at somewhere on Eighth Avenue.

25 Q Where?

1 Blank

2 A We were just going to see what looked  
3 good.

4 Q Was there a reason why you selected  
5 Eighth Avenue?

6 A I am more familiar with that. It is  
7 more where I work, a lot of good options.

8 Q Where do you work, I know you are in  
9 Woodside?

10 A That is the night job. That is right  
11 in my area, the Schoenfeld Theater on 45th  
12 between Seventh and Eighth.

13 Q Have you ever been to a restaurant or  
14 bar named the Vintage Baron?

15 A I have been to a place called Vintage,  
16 but Baron, I am not familiar with.

17 Q Is the Vintage at 52nd and Eighth?

18 A I know the one that you are talking  
19 about. I have not been to that one. I have  
20 been to a Vintage on I think 52nd and Ninth.

21 Q Do you recall telling the police that  
22 you were intending to go to the Vintage Baron  
23 52nd and Eighth?

24 A No. No. I might have mentioned  
25 Vintage and I think Vintage was mentioned and



1 Blank

2 there are two Vintages, but if we went, it  
3 would be the one on Ninth Avenue.

4 Q Ninth or Eighth?

5 A I don't know. It was so long. Ninth  
6 or Eighth is a possibility, but 32nd is the  
7 cross street.

8 Q When you got out of the theater, what  
9 was the weather like?

10 A It was just beginning to snow again.

11 Q Heavy, light, medium?

12 A A touch heavier than the flurries  
13 before.

14 Q Was it snowing to the extent that you  
15 took out your umbrella?

16 A Yes. It was just kind of that cut off  
17 where an umbrella was desirable.

18 Q Did you extend the umbrella; it was  
19 collapsible?

20 A Yes.

21 Q Did you extend it the entire way?

22 A I opened it up.

23 Q This is the black umbrella that you  
24 described before?

25 A Yes.

1 Blank

2 Q I think you said that the theater that  
3 you were at was, don't tell me the name  
4 again?

5 A 37 Arts Center.

6 Q That is more towards Tenth?

7 A Yes, south side of the street little  
8 closer to Tenth.

9 Q When you came out of the theater, did  
10 you attempt to get a cab on 37th?

11 A No.

12 Q Okay.

13 A We were going to walk.

14 Q That was your intention?

15 A Yes.

16 Q Did you walk along 37th?

17 A We walked the stretch from the theater  
18 to Ninth and then, you know, then into --  
19 that is the intersection where it happened.

20 Q As you walked along the curb between  
21 the south curb and the building line, where  
22 were you and where was Sabina?

23 A Walking this way, I was on the right  
24 side and I was closest to the buildings and  
25 she was closest to the street.

1 Blank

2 Q Was there any reason why you were  
3 walking that way?

4 A No. Nothing premeditated. I probably  
5 opened the door for her and she walked out  
6 first and we continued in that progression.

7 Q As you walked down 37th Street, were  
8 you holding her hand or holding her elbow?

9 A No.

10 Q Your arm around her or anything?

11 A No.

12 Q Was she holding you in any way?

13 A No.

14 Q Were you both walking independently?

15 A Yes.

16 Q You on the right and she was on the  
17 left?

18 A Yes.

19 Q Were you wearing glasses?

20 A No.

21 Q Do you wear glasses?

22 A I wear contact lenses.

23 Q Did you have them on?

24 A Yes.

25 Q What is the condition for which you

1 Blank

2 required contact lenses?

3 A I can't get by without them. I always  
4 have them on.

5 Q Nearsighted? Farsighted?

6 A Very, very nearsighted.

7 Q You had them on that night?

8 A Yes.

9 Q Do you require two different types of  
10 styles of contact lenses, one to read and one  
11 for distance?

12 A No. Same ones and it is the same in  
13 both eyes, no astigmatism, just strong.

14 Q Are they tinted in any way?

15 A No.

16 Q Did you continue that way walking  
17 independently, you on the right and she was  
18 on the left?

19 A Yes.

20 Q Did you come to the intersection of  
21 Ninth Avenue and 37th Street?

22 A Yes, we got to that intersection.

23 Q As you walked along 37th Street, did  
24 you have an opportunity to observe either the  
25 traffic light or the pedestrian signal?

1 Blank

2 A Oh, the walk signal?

3 Q Yes. As you walked along 37th Street,  
4 did you have occasion to observe either the  
5 traffic signal or the pedestrian signal at  
6 the corner?

7 A I definitely observed it before we  
8 started crossing the street. I can't say  
9 about the approach, but the intersection like  
10 that, you always need to cross properly.

11 Q Did you come to the corner?

12 A Yes.

13 Q Did you stop at the corner?

14 A I don't recall if it was already green  
15 or if we had to wait a moment.

16 Q Okay.

17 A I think we actually did stop for a  
18 minute. I am trying to think back to the  
19 conversation. I think there was a couple of  
20 seconds' wait before it turned green.

21 Q The traffic light?

22 A Before it turned to the walk signal.

23 Q Did you observe it?

24 A Yes.

25 Q How long were you at the corner,

1 Blank

2 stopped at the corner before the signal  
3 turned to walk?

4 A It was not long at all. Within ten  
5 seconds of approaching there, I know because  
6 we were ahead of the back of the pedestrians,  
7 so there was nobody really adjacent to us.  
8 So we -- at the time when it turned green, we  
9 were still, you know, a few yards ahead of  
10 everybody else.

11 Q There were people behind you from that  
12 theater?

13 A Yes. People were leaving the theater  
14 slowly with cigarettes and whatnot.

15 Q Are there other theaters on 37th  
16 Street?

17 A Not on that stretch, but there are two  
18 theaters in that building.

19 Q Did the other theater have any show  
20 that night?

21 A I believe they did and I don't know if  
22 it let out at the same time.

23 Q What was the other theater?

24 A 37 Arts Center, Theater B.

25 Q You were in Theater A?

1 Blank

2 A Yes, two-theater complex.

3 Q You were in the orchestra?

4 A Yes.

5 Q Below the street level?

6 A Yes.

7 Q Are there seats in that Theater A at  
8 street level?

9 A Yes, it is built so that the mezzanine  
10 is street level. So the stage is actually  
11 below ground.

12 Q The entrance to Theater A would be on  
13 mezzanine level?

14 A Yes.

15 Q You having been in the orchestra were  
16 ahead of everybody else?

17 A Yes, we got out of there pretty quick.  
18 We didn't linger around with the cast or  
19 anything.

20 Q Was anybody walking ahead of you as  
21 you walked up 37th Street?

22 A A few people couples sprinkled here  
23 and there a little bit ahead of us. We were  
24 the first ones, we were the first ones to  
25 arrive for that crossing.

1 Blank

2 Q Okay. Did any of the few couples  
3 sprinkled ahead of you cross Ninth Avenue?

4 A You mean --

5 Q In front of you?

6 A I guess they must have been or turned.  
7 I really don't recall.

8 Q The few couples ahead of you,  
9 sprinkled ahead of you, how far ahead of you  
10 were they?

11 A You know, half, quarter of a city  
12 block, a good distance.

13 Q Okay.

14 A Not a huge theater, only a couple of  
15 hundred people coming out.

16 Q Was it a sellout?

17 A No. It was not sold out that night.

18 Q Okay.

19 A Probably about 70 percent of the  
20 house.

21 Q How far behind you were the other  
22 people?

23 A That, I don't know until after the  
24 accident happened.

25 Q After the accident happened, did you



1 Blank  
2 find out how far behind?  
3 A Yes. There was a nurse who ran over  
4 to us almost immediately.  
5 Q Did she come out of the theater?  
6 A I think she must have been because  
7 there was not much else around there.  
8 Q It was a woman?  
9 A Yes. She was a nurse, I think she  
10 couldn't be too far behind.  
11 Q Did you ever learn her name?  
12 A No.  
13 Q Did you ever speak to her again?  
14 A No.  
15 Q Did you speak to her then?  
16 A She was really focused on trying to  
17 help Sabina.  
18 Q Did you speak to her?  
19 A I don't know if we really exchanged  
20 anything other than to say, you know, I am  
21 with her and then the nurse kind of took over  
22 until the proper medics arrived.  
23 Q When you arrived at the corner, was  
24 there anyone else there?  
25 A Not to my memory.

1 Blank

2 Q What was your intention when you  
3 arrived at the corner?

4 A To cross the street.

5 Q To where?

6 A To the other side of Ninth Avenue and  
7 then to continue on to Eighth Avenue and at  
8 some point, take a right to go up further,  
9 you know, closer to 40, 42nd.

10 Q Take a right?

11 A Left, sorry.

12 Q Excuse me?

13 A Left, sorry.

14 Q What was the condition of the snow at  
15 that time?

16 A Light layer that settled from the  
17 previous snowfall. There was the snowfall at  
18 the beginning of the show and it must have  
19 stopped for a while and it was just starting  
20 up again as we left. So there was -- there  
21 was a little bit of a layer, but you could  
22 see a lot of cement. There definitely  
23 was -- it was definitely not covered.

24 Q What was the condition of snow  
25 falling?

1 Blank

2 A Just -- not an oppressive snowfall,  
3 but just enough to want the umbrella out, a  
4 nice flurry.

5 Q You had the umbrella out?

6 A Yes.

7 Q You were holding it in your hand?

8 A Yes.

9 Q Right hand?

10 A Left hand.

11 Q Is that your dominant hand?

12 A No.

13 Q Was Sabina still to your left?

14 A Yes.

15 Q As you walked along 37th Street, did  
16 you walk more or less abreast?

17 A Yes.

18 Q You said you didn't recall the type of  
19 shoe that Sabina was wearing, but you  
20 recall -- do you recall whether it was flat  
21 or heel?

22 A I am sure it was a flat.

23 Q Okay.

24 A I don't recall the style.

25 Q During approximately the ten seconds

1 Blank

2 that you said, were you stopped at the  
3 corner?

4 A Something like that. It was a  
5 negligible wait.

6 Q During that time, Ninth Avenue is one  
7 way down southbound?

8 A Yes.

9 Q And 37th is one way westbound?

10 A Yes.

11 Q Did any cars or vehicles pass you  
12 going south on Ninth Avenue as you were  
13 stopped?

14 A Yes, I think probably just the last of  
15 whatever residual traffic. It really wasn't  
16 a very heavy traffic night from what I could  
17 tell about it in that area. May have been  
18 one or two cars that went by or turned green.

19 Q Had you been to this theater before?

20 A Yes, many times.

21 Q Is that one of the eight prior times  
22 you had seen this?

23 A Yes. It is great.

24 Q Were you aware of the fact that there  
25 was an entrance to the Lincoln Tunnel right

1 Blank

2 off of 37th Street on Ninth Avenue?

3 A Yes. I knew it was over there.

4 Q There were two lanes marked for that  
5 tunnel, are you aware of that?

6 A I didn't have the specifics. I knew  
7 it was a tunnel area and therefore, it could  
8 potentially -- it is not a place you want to  
9 jaywalk.

10 Q So you had seen in the past a lot of  
11 traffic going into the --

12 A Yes, I had seen at other times there,  
13 it was heavy traffic.

14 Q Had you seen vehicles turn from 37th  
15 Street onto Ninth Avenue before, not this  
16 time, but on other occasions?

17 A Yes, inevitably I know it was -- I  
18 inevitably I know it was an intersection  
19 where turns happened.

20 Q Had you, on occasions before, seen  
21 vehicles turning left 37th Street into those  
22 Lincoln Tunnel lanes?

23 A I am certain that I had.

24 Q The Lincoln Tunnel lanes would be on  
25 the west side of Ninth Avenue?

1 Blank

2 A Yes.

3 Q During that approximately ten seconds  
4 period when you were stopped, did you see any  
5 vehicles on 37th Street?

6 A On 37th Street, there were a few  
7 stopped, you know, oncoming traffic. I  
8 couldn't really tell how many from that  
9 vantage point.

10 Q Cars?

11 A Vehicles. I am not really sure.

12 Q So they would be facing west stopped  
13 on 37th?

14 A Yes.

15 Q Were you familiar with the traffic  
16 light pedestrian sign sequence at that corner  
17 having been there some eight times before?

18 A I hadn't worked out the sequence. I  
19 just know when it is green, cautiously  
20 continuing into the intersection.

21 Q During that approximately ten-second  
22 period, what was the color of the traffic  
23 light for 37th Street?

24 MR. KAPLEN: What, ten seconds?

25 MR. BUTLER: The ten-second

1 Blank

2 period that he said he was stopped  
3 with Sabina.

4 A I --

5 Q Did you understand that to be the  
6 question?

7 A I understand what you are asking. I  
8 don't know what color the light was. I know  
9 what color the pedestrian sign was.

10 Q What was the pedestrian sign color?

11 A Red hand.

12 MR. KAPLEN: Off the record.

13 (Discussion held off the  
14 record.)

15 Q Do you know how long the pedestrian  
16 sign had been red?

17 A I don't. Probably for a full cycle.

18 A full cycle. I don't know.

19 Q Do you know what a full cycle is?

20 A No.

21 Q At any time while you were standing on  
22 the corner, did the pedestrian sign change?

23 A It turned to the walk sign at one  
24 point.

25 Q When it turned to the walk sign, had

1 Blank

2 any of the people during this ten-second  
3 period, any of the people behind you caught  
4 up to you?

5 A Not fully.

6 Q Had any of the people who had been  
7 sprinkled in front of you, were any of them  
8 waiting?

9 A We were alone at that intersection at  
10 least laterally. There was nobody waiting  
11 with us.

12 Q While you were at that intersection  
13 during that ten-second period, did anyone  
14 walk across 37th Street on the west side of  
15 Ninth Avenue?

16 A Not that I remember.

17 Q Did anyone walk across the east side  
18 of Ninth Avenue at 37th?

19 A I don't know. That would be the  
20 opposite side of the street. I don't know.

21 Q Was traffic backed up going into the  
22 tunnel?

23 A Going into the tunnel, there was no  
24 traffic, no cars on my side of 37th Street.  
25 So everything behind us was fully empty, just



1 Blank  
2 a couple of parked cars.  
3 Q You are talking about on Ninth Avenue?  
4 A On Ninth Avenue to the right, it  
5 didn't -- there was no backup.  
6 Q You have seen backup there in the  
7 past?  
8 A It happens, yes, I am sure, but at  
9 that point, there was nothing significant.  
10 Q As you stopped there, did you see  
11 vehicles stopped across the street?  
12 A Yes. I saw there were vehicles.  
13 Q Can you tell how many?  
14 A There were at least vehicles in both  
15 lanes. I didn't see how far back they went.  
16 Q Did those vehicles have lights?  
17 A Their lights were on, yes.  
18 Q Driving lights?  
19 A Yes.  
20 Q Did those vehicles have turn signals?  
21 A Not that I remember.  
22 Q While the red hand was showing, did  
23 any of those vehicles westbound on 37th  
24 Street move?  
25 A I don't think so.

1 Blank

2 Q Okay.

3 A While we had the red light?

4 Q While you had the red hand?

5 A Not that I remember, I don't think so.

6 Q Where on the corner, where in that  
7 area were you standing?

8 A On the sidewalk right by the traffic  
9 light pole.

10 Q Which side of the traffic pole?

11 A I guess on the -- I don't know, we  
12 were on the sidewalk.

13 Q Is there a traffic light pole there?

14 A I seem to remember one.

15 Q Was Sabina still to your left?

16 A Yes.

17 Q Were you closer to the pole, was she  
18 or were you behind it or in front of it?

19 A If I remember correctly, the pole was  
20 on the right, so I would be closer to the  
21 pole. Or the thing where you push.

22 Q Where you push and nothing happens?

23 A Right. I don't know if they have  
24 those anymore.

25 Q What was your intention in terms of

1 Blank

2 movement?

3 A We were intending to go straight  
4 across the street and walk another avenue  
5 over and take it from there.

6 Q At any time from the time that you  
7 left the theater until the time -- until the  
8 time of the accident, did you make any effort  
9 to hail a cab?

10 A No. That was not an option at that  
11 point.

12 Q Could you clearly see the vehicles in  
13 the two lanes stopped on 37th Street?

14 A There was no obstruction, if that is  
15 what you mean.

16 Q When the signal turned from, I think  
17 you said you didn't notice the traffic light,  
18 you just saw the pedestrian sign?

19 A Yes.

20 Q When the pedestrian sign, did it turn  
21 directly from red to walk or is there an  
22 intermediate signal?

23 A I think it went straight from solid  
24 red to the green walk sign.

25 Q Did it have a numerical countdown?

1 Blank

2 A I don't think so, no.

3 Q When it turned to walk, what, if  
4 anything, did you do?

5 A When it turned to walk, I checked for  
6 any, you know, anybody running the light like  
7 you do and continued on. It looked like any,  
8 you know, none of the cars in the oncoming  
9 turn lane seemed to be making any motions to  
10 turn, so we just went on our way, into the  
11 intersection.

12 Q Was anyone running the light on Ninth  
13 Avenue?

14 A Running the light, I don't know -- no.  
15 That is what you check for, that is usually  
16 where your danger would be.

17 Q Nobody was doing that?

18 A No.

19 Q As you proceeded across, where were  
20 you with respect to the curb line of 37th?

21 A With respect to the curb line?

22 Q Yes.

23 A I --

24 Q If you took the south curb line of  
25 37th all the way from the theater over to

1 Blank

2 Eighth Avenue just the imaginary line how  
3 far -- where were you with respect to that?

4 A We were right in the middle of the  
5 crosswalk area.

6 Q Could you see the markings on the  
7 road?

8 A Yes.

9 Q Could you see the markings on the road  
10 in the intersection itself?

11 A What kind of markings?

12 Q Markings?

13 A There was no cover.

14 Q Could you see the markings in the  
15 intersection?

16 A Markings?

17 Q Box markings?

18 A I could see markings. I can't say if  
19 I saw all the markings, but I saw markings.

20 Q You said you were in the middle of the  
21 crosswalk area; is that correct?

22 A Yes.

23 Q How wide is the crosswalk area?

24 A A number, it is standard crosswalk, it  
25 is a good -- a good width.

1 Blank

2 Q You said you were right in the middle  
3 of?

4 A We were close to center, I don't know  
5 what actual measurement of the crosswalk is.  
6 Eight feet, six feet.

7 Q As you --

8 A Excuse me.

9 Q Did you have your cell phone with you?

10 A In my pocket.

11 Q Did you have any kind of a Blackberry  
12 or anything like that with you?

13 A No.

14 Q Did Sabina have her cell phone?

15 A Yes.

16 Q Did she have any kind of a Blackberry?

17 A No, I think she just had a cell.

18 Q Had either one of you utilized your  
19 respective cell phones at any time after you  
20 left the theater?

21 A No.

22 Q Did you have your shoulder bag over  
23 your shoulder?

24 A Yes.

25 Q Which shoulder?

1 Blank

2 A The strap was on my right shoulder and  
3 the -- it was hanging down along my back.

4 Q Indicating the left side of your back?

5 A Yes.

6 Q Did Sabina have her shoulder bag on?

7 A She had her bag. I don't know which  
8 side she held it on.

9 Q You were to her right?

10 A Yes.

11 Q Was the bag towards you or away from  
12 you?

13 A I don't recall.

14 Q You were carrying your umbrella?

15 A Yes.

16 Q In your left hand?

17 A Yes.

18 Q Were you carrying it for yourself, for  
19 Sabina, for both?

20 A We were sharing it, I was holding it  
21 up.

22 Q Did Sabina wear glasses?

23 A I think contacts, but I don't know.

24 Q Was she wearing glasses that night?

25 A Not at the time.

1 Blank

2 Q Okay.

3 A I don't know her eye condition.

4 Q Were you and Sabina in contact at all  
5 as you proceeded across?

6 A No. I was holding the umbrella and  
7 she had her bag and we were not physically in  
8 contact.

9 Q As you stopped for this ten-second  
10 period, did you talk?

11 A Yes.

12 Q What did you talk about?

13 A Phillie's Cheese Steaks.

14 Q As you crossed, were you talking?

15 A Yes.

16 Q What was that?

17 A Phillie's Cheese Steaks is an  
18 expansive subject.

19 Q As you crossed the intersection with  
20 the walk sign, talking about Phillie's Cheese  
21 Steaks, Sabina was to your left?

22 A Yes.

23 Q You were holding your umbrella with  
24 your left hand?

25 A Yes.



1 Blank

2 Q Did you make any observations as to  
3 any traffic movement?

4 A I was watching traffic. It is a busy  
5 intersection. I was not so engaged in the  
6 conversation where I was not looking.

7 Q When you looked at traffic, where were  
8 you looking?

9 A Mainly looking at the oncoming, the  
10 closer lane of traffic to see if anybody  
11 might be either swerving or turning or, you  
12 know, also if they were, as we approached the  
13 far end of it, if they were going to make a  
14 sharp left because I watched.

15 Q I think you said there were vehicles  
16 in both lanes?

17 A Yes.

18 Q Did you observe both lanes?

19 A I observed both lanes. I had  
20 previously observed both lanes. I was aware  
21 of both lanes.

22 Q As you crossed, did you observe both  
23 lanes?

24 A Yes.

25 Q As you observed both lanes, as you

1 Blank

2 were crossing --

3 A Excuse me?

4 Q There eventually was an accident; is  
5 that correct?

6 A : Yes.

7 MR. KAPLEN: Objection to the  
8 form.

9 Q As you went across Ninth Avenue -- how  
10 many lanes are there on Ninth Avenue?

11 A Five, four to five.

12 Q In what lane did the accident occur?

13 A Right around the halfway point, so  
14 that would be the third, I think the third  
15 lane entering the fourth.

16 Q Going across, that was the fourth and  
17 fifth lane and then you would be on the --  
18 the east side?

19 A Yes. We were third and fourth.

20 Q During the time that you had crossed  
21 over the first lane, the second lane, and the  
22 portion of the third lane nearer to the  
23 fourth lane, what did you observe about the  
24 cars the vehicles on 37th Street?

25 A There were cars coming, there was --

1 Blank

2 Q Coming where?

3 A Coming straight. There were at least  
4 one car that was passing by us one or two  
5 cars probably went by in both lanes, but  
6 traffic going -- there was traffic going  
7 straight in the lane closest to us.

8 Q Did you observe any vehicles turning  
9 onto Ninth Avenue?

10 A I didn't see if anyone turned to the  
11 left or otherwise.

12 Q There was an accident involving a  
13 vehicle, was there not?

14 MR. KAPLEN: Objection to the  
15 form.

16 THE WITNESS: What does that  
17 mean?

18 MR. KAPLEN: Rephrase the  
19 question without saying accident.  
20 There was an incident. I will object  
21 to the term accident.

22 MR. BUTLER: Okay.

23 MR. KAPLEN: I will continue to  
24 object to that term, that connotation.

25 Q It is clear there was an accident, but

1 Blank

2 I will defer for purposes of this to  
3 Mr. Kaplen and refer to there was an incident  
4 involving --

5 A There was an incident.

6 Q What type of vehicle was that?

7 A It was a pickup truck.

8 Q When I refer to the pickup truck, you  
9 know what I am talking about?

10 A Yes.

11 Q At any time before this incident, did  
12 you observe that pickup truck?

13 A I am sure in my periphery, I saw a  
14 pickup truck and there was new cars coming in  
15 that lane, but as there was traffic in both  
16 lanes, it didn't strike me as anything.

17 Q Did you observe that pickup truck  
18 turning at all?

19 A I didn't see the pickup truck as it  
20 began its turn trajectory.

21 Q Do you know whether or not that pickup  
22 truck had its left turn signal on?

23 A I didn't see. There were other cars  
24 coming by.

25 Q Did you ever see that pickup truck in

1 Blank

2 the course of its turn?

3 A Not until it was -- not until it was  
4 too late.

5 Q When you say too late?

6 A Not until just the moment before the  
7 impact.

8 Q Knowing this intersection and knowing,  
9 I think you said it was a busy intersection,  
10 did you continue looking at these cars as you  
11 and Sabina walked across Ninth Avenue?

12 A Yes, I could see the cars.

13 Q Were you looking at them to see what  
14 they were doing?

15 A I was watching them come forward, yes.

16 Q You didn't see the pickup truck until  
17 the moment before the impact?

18 A I did not.

19 Q Do you know whether Sabina came in  
20 contact with the pickup truck?

21 A Whether contact was made or if she  
22 initiated contact? She was hit by the pickup  
23 truck.

24 Q Do you know where on Sabina's body?

25 A From what I could see, the impact

1 Blank

2 occurred pretty square on, on the shoulder  
3 area.

4 Q Shoulder area?

5 A Yes. That would be my guess  
6 from -- it happened very quickly, shoulders  
7 and torso.

8 Q Shoulders and?

9 A Shoulders.

10 Q Did you observe what portion or  
11 portions of the pickup truck were involved  
12 was or were involved?

13 A It was a pretty square-on incident, it  
14 was the front where, you call it the front  
15 grille.

16 Q You saw that?

17 A Yes.

18 Q Is that the first time you saw --

19 A Saw?

20 Q Is that the first time you saw the  
21 vehicle when the impact took place?

22 A That is the first time I saw it in  
23 that close proximity.

24 Q Had you seen it before?

25 A I had seen him approach with all the

1 Blank

2 other cars in that lane.

3 Q Had you seen him turning?

4 A I didn't see him start his turn.

5 Q Did you see him at any time in his  
6 turn?

7 A Right before the impact.

8 Q You see him before the impact or at  
9 the time of the impact?

10 A There was -- I don't know the exact  
11 how many seconds it was. I saw him during  
12 the split second right before it happened.  
13 There was a moment of recognition and there  
14 was a split second thinking that it was going  
15 to be a close call.

16 Q You were standing or you were walking  
17 to the right of the Sabina?

18 A Yes.

19 Q Did the vehicle strike you at all?

20 A No.

21 Q You were standing right next to her to  
22 the extent that the umbrella covered both of  
23 you?

24 A Yes.

25 Q Could you tell the speed at which the

1 Blank

2 vehicle was proceeding?

3 A It seemed quick for a turn. I would  
4 estimate 15. 15 or 20 maybe.

5 Q For what distance of the traffic of  
6 the pickup truck did you observe it, so you  
7 would estimate it at 15, maybe 20 miles an  
8 hour?

9 A I saw it as it approached the two of  
10 us and the fact that it happened so quick  
11 after he had turned out of his lane is what  
12 indicated to me that it was a very quick  
13 turn.

14 Q My question, sir, is this, you said  
15 you would estimate that he was going 15 and  
16 maybe 20 miles an hour. For how great a  
17 distance did the vehicle travel that you saw  
18 that you would make that estimation?

19 A Probably the distance from when he was  
20 halfway into the left lane to when the impact  
21 happened. So he had already made his full,  
22 whatever, 90-degree rotation.

23 Q How far from you was that?

24 A I --

25 Q How far from the point of impact was



1 Blank

2 that?

3 A Not very far, just about six feet.

4 Q In that six-foot distance, that's  
5 where you would estimate that he was going 15  
6 to 20 miles an hour?

7 A Yes.

8 Q Okay?

9 A From the vantage point of coming  
10 straight on.

11 Q What was the condition of the snowfall  
12 at that time?

13 A It still wasn't too severe. It was  
14 definitely, there was some fall, but it  
15 wasn't -- about the same as it was on leaving  
16 the theater a few minutes earlier. Light  
17 snowfall.

18 Q There was sufficient snow, so you  
19 still had your umbrella up?

20 A Yes.

21 Q I believe you said that neither one of  
22 you had head gear?

23 A Yes, we didn't have head gear or hats.

24 Q Where, at what height did you hold the  
25 umbrella? By that, I mean where was the

1 Blank

2 umbrella shell?

3 A The umbrella shell was a couple of  
4 inches over my head since I was quite a bit  
5 taller, the foot or so above Sabina.

6 Q Would it be fair to say that your  
7 concern was to protect your date from the  
8 snow with the umbrella; is that fair to say?

9 A I don't think -- I don't know what you  
10 are inferring. I would say --

11 Q You were walking with your date?

12 A It was a concern to where it was worth  
13 holding the umbrella. It was not bad  
14 enough -- could that be done without the  
15 umbrella? It was not terrible out.

16 Q Holding the umbrella, a concern that  
17 you had was to keep the snow from Sabina, was  
18 it not?

19 A Yes, it was a courtesy I was offering.

20 Q That was the black umbrella, the  
21 collapsible umbrella?

22 A Yes.

23 Q Other than to the police, did you  
24 speak to anyone at the scene?

25 A I exchange a few words with the nurse.

1 Blank

2 Nothing -- that was just to say I was with  
3 her and her focus was on her and the police  
4 came very, very quickly as there was police  
5 in the next -- the very next round of cars  
6 coming down Ninth. Before I could even call  
7 911, there was essentially a police car  
8 there.

9 Q Did you eventually call 911?

10 A I called as soon as it happened and at  
11 which point the nurse was already there and  
12 going to work and trying to keep her alert,  
13 and the police were already there and it was  
14 never answered, the 911 call, because the  
15 police got there.

16 Q Did Sabina speak at all after the  
17 impact?

18 A After the impact or at the impact?

19 Q After the impact?

20 A After the impact, she didn't verbalize  
21 any words. There was distinctly several  
22 moments, I don't know how long, 90 seconds,  
23 two minutes, where she was still visibly,  
24 what to me would be conscious, her lips were  
25 moving, eyes were moving, trying to

1 Blank

2 communicate with the nurse. At this point, I  
3 was standing a little bit back.

4 Q You said 90 seconds to a minute?

5 A Yes, before at which point -- after  
6 which point the police were there and she  
7 slipped out of consciousness.

8 Q What position was she in at that time?

9 A Flat on her back, from what I can  
10 tell. I don't know if that is how she  
11 exactly landed. The nurse might have  
12 repositioned her, but for all intents and  
13 purposes, she was flat.

14 Q Did the pickup truck stop after the  
15 impact or incident?

16 A Yes. He stopped.

17 Q Where with respect to where the impact  
18 took place did the pickup truck stop?

19 A Pretty close -- there was no real  
20 forward trajectory. She sort of fell and at  
21 the point where he stopped, he wasn't per se  
22 right on top of her, but he was very close.  
23 I could have reached out and touched it from  
24 where everything settled.

25 Q In connection with the impact itself,

1 Blank

2 did you come into contact with the pickup  
3 truck?

4 A I did not come in contact with the  
5 pickup truck.

6 Q Did you come in contact with Sabina?

7 A I did not.

8 Q In what manner --

9 A Sabina wound up on the ground.

10 Q In what manner did she fall?

11 A She was -- she was hit straight on and  
12 essentially just crumpled. I mean, I don't  
13 know. She just fell. She didn't go flying  
14 or anything, just fell hard on the ground  
15 with her full weight and whatever, the weight  
16 of the impact.

17 Q Where was she on the ground with  
18 respect to the vehicle when the vehicle  
19 stopped?

20 A He was -- close. He wasn't over her,  
21 but close within.

22 Q When you say close, in front of, on  
23 the side of?

24 A I would say he was -- in front of  
25 adjacent to where she was laying was the

1 Blank

2 front of the vehicle.

3 Q How far did the pickup truck travel  
4 from the point of impact until it stopped?

5 A Really not much distance at all.  
6 Could have gone right over her. Couple of  
7 feet, however long it takes. He hit the  
8 brakes pretty hard after the impact.

9 Q Couple of feet?

10 A If that.

11 Q Did he slide at all?

12 A I don't know, I don't recall.

13 Q Okay.

14 A He was stopped by the time all the  
15 dust had cleared and everybody realized just  
16 what happened.

17 Q After Sabina was on the ground, were  
18 you still holding the umbrella?

19 A No, I dropped the umbrella when the  
20 impact happened. I remember --

21 Q In connection with the impact itself  
22 or you just dropped it?

23 A I sort of threw it back when I  
24 realized she was actually being hit.

25 Q Was there a reason why you threw it

1 Blank

2 back?

3 A Yes. It was a reaction to her being  
4 hit and I was going to go and see what the  
5 damage was.

6 Q Did the driver get out of his pickup  
7 truck?

8 A From what I remember, he got  
9 immediately out.

10 Q Was there any conversation with him?

11 A My focus was on Sabina trying to see  
12 if it was minor or major and then watching  
13 the nurse. He was out of the car and he was  
14 speaking a lot, he was saying numerous  
15 things. I didn't talk to him except to say,  
16 I think I said back away at one point. But  
17 the things I remember him saying were "I'm  
18 sorry" and he said "The bitch cut me off" and  
19 he said "I didn't mean to do it, I just got  
20 off work," but I didn't talk to him.

21 Q Who was he speaking to when he said  
22 these things.

23 A Probably to me and then once more  
24 people got there to whoever was listening.  
25 The cops were there pretty quick and they

1 Blank

2 pretty quickly pulled him to the side and he  
3 was talking to the cops for a while as I was  
4 there.

5 Q You did not hear him talk to the cops?

6 A Just bits and pieces. He got off from  
7 work and just got cut off.

8 Q You heard him say that to the police?

9 A Yes. Or whoever, I don't recall.  
10 There was a lot of people.

11 Q Do you know who the quote bitch was  
12 that he spoke about?

13 A A car, I imagine. That was repeated  
14 many times, that he got cut off. Therefore,  
15 he didn't see us in his words.

16 Q You gave a statement to the police?

17 A Yes.

18 Q Did you tell them that he said he was  
19 cut off many times?

20 A I don't know if I told them, but it  
21 was very fresh in my memory that he said  
22 that.

23 Q Did you tell them that?

24 A I don't know.

25 Q Other than the police, did you ever



1 Blank

2 give a statement to anyone else?

3 A Numerous police and detectives -- you  
4 mean on that night?

5 Q Other than the police at any time?

6 A I gave a statement to the  
7 investigator.

8 Q Was that an investigator from  
9 Mr. Kaplen's office?

10 A Yes.

11 MR. BUTLER: I will call upon  
12 you to produce that statement.

13 MR. KAPLEN: Attorney work  
14 product.

15 REQUEST NOTED:

16 Q When was that statement given to the  
17 investigator from Mr. Kaplen's office?

18 A I don't remember the date. It was  
19 some -- it was some weeks later.

20 Q Okay.

21 A I could produce the date, but it  
22 was --

23 Q Do you have a copy of that statement?

24 A I don't have a copy of that statement.

25 Q I don't mean with you, but in your

1 Blank

2 possession?

3 A No. I never got the copy.

4 Q But you signed it?

5 A Yes.

6 Q Did you, yourself, write it out or did

7 the investigator write it out?

8 A He wrote it out, I read over it and

9 signed it.

10 Q In that statement, did you say that

11 the driver of the pickup truck said that the

12 bitch cut me off?

13 A I am pretty sure. I remember saying

14 everything that he said.

15 Q With Sabina on your left, with you on

16 her right and you holding the umbrella and

17 you said that she came in contact with the

18 pickup truck, but the pickup truck didn't hit

19 you and Sabina didn't hit you?

20 A Right.

21 Q In what manner did Sabina fall so that

22 walking next to you holding the umbrella she

23 didn't come in contact?

24 A There was a split second of

25 recognizing the impact. So in that split

1 Blank

2 second, I had the opportunity to take a step  
3 forward and she fell very close to me. It  
4 was literally a matter of inches that I  
5 didn't step forward and avoided contact.

6 Q You stepped forward to avoid contact.  
7 Did you make any effort to prevent--

8 A I didn't have a chance to. I saw  
9 something coming at us and the next thing I  
10 know I hear a scream and she is on the  
11 ground.

12 Q She screamed?

13 A She screamed, yes.

14 Q Before?

15 A She screamed for the split second  
16 before the impact and up until they hit, a  
17 good loud scream.

18 Q Where were you after you moved ahead  
19 when the vehicle stopped, where were you with  
20 respect to the vehicle when it was stopped?

21 A Foot or two away. I was immediately  
22 jumping toward Sabina.

23 Q I am saying --

24 A From right after it happened?

25 Q Yes.

1 Blank

2 A I was just a foot or two away and he's  
3 stopped.

4 Q Foot or two away from where, the  
5 front?

6 A The side and slightly forward.

7 Q Which side?

8 A If I am the driver, I guess to the  
9 left of the driver's side.

10 Q Was there any damage done to the  
11 pickup truck?

12 A I didn't stop to look.

13 Q At any time did you make any  
14 observations as to any of the white lines, be  
15 they intersection lines or crosswalk lines,  
16 be they anything, did you make any  
17 observations of the lines?

18 A At what point?

19 Q At any time.

20 A I observed that we were within the  
21 boundaries. I observed all the lines that  
22 were there.

23 Q I will show you --

24 MR. BUTLER: Do you have the  
25 photographs?

1 Blank

2 MR. KAPLEN: Yes.

3 MR. BUTLER: May I see them?

4 MR. KAPLEN: Yes.

5 Q Take a look at P2, the photograph.

6 A Yes.

7 Q Do you recognize what that depicts?

8 A The direction in which we were  
9 walking.

10 Q You would be walking from the near  
11 side to the far side?

12 A Yes.

13 Q Is that the light you were talking  
14 about before?

15 A Yes.

16 Q You said you thought you were on  
17 the -- the left side from this picture?

18 A Closer. It was on the right side of  
19 myself.

20 Q In other words, you would be closer to  
21 the curb, to the 37th Street curb?

22 A Yes. While waiting for the light.

23 Q Do you see in the middle of the street  
24 there, a depressed construction area?

25 A Yes.

1 Blank

2 Q And a manhole?

3 A Yes.

4 Q Did you observe that as you walked  
5 across?

6 A It is not significant in my memory.

7 Q Did you make any effort with the snow  
8 falling to avoid that depressed manhole area?

9 A No. I don't remember. Not that I  
10 remember.

11 Q Did you slip at all at the time of the  
12 incident?

13 A No. There was -- no, I didn't slip.

14 Q Did Sabina slip?

15 A No. Are you talking about after she  
16 was hit?

17 Q Did she slip?

18 A I don't think any of us slipped.

19 Q At the time when the incident took  
20 place, do you know of your own knowledge  
21 whether or not Sabina slipped?

22 A No.

23 Q Do you know of your own knowledge  
24 where with respect to that depressed area,  
25 the incident took place?

1 Blank

2 A No, I don't.

3 Q For how long after the incident were  
4 you at the scene?

5 A I was there with her all the way  
6 through the trip to the hospital.

7 Q Did you go to the hospital with her?

8 A I went to the hospital in the -- in  
9 the leading ambulance, not the one she was  
10 in. I was there all the way through when she  
11 went into surgery, which was until about  
12 almost midnight.

13 Q At any time during that period, did  
14 she speak?

15 A I didn't have contact with her after  
16 the point where the police arrived.

17 Q Did you call her parents?

18 A I didn't have any access numbers. I  
19 immediately called a couple of mutual friends  
20 that we have and then I was at one point,  
21 given her cell phone to get a few more  
22 numbers. Eventually I got in touch with some  
23 people. I think they actually reached the  
24 grandparents first. I didn't know how to  
25 reach the parents.

1 Blank

2 Q Which friends did you reach out to?

3 A The first one I called was a girl  
4 named Claire Robinson. I left a message to  
5 call me back and she eventually did while we  
6 were still at the hospital and then I called  
7 a girl named Amy Van Vechten, V-E-C-H-T-E-N.  
8 I mean she didn't know how to reach anyone.

9 Q For how long a period did you talk to  
10 the police, you talked to various police?

11 A I talked to a few. There was one at  
12 the scene and I think two different  
13 detectives or police that talked to me in the  
14 hospital. Each one was pretty brief, five or  
15 ten-minutes conversation.

16 Q Do you recall the name of the  
17 detective that you spoke to at St. Vincent's  
18 Hospital?

19 A The only detective I remember was, I  
20 have it in my office, Cipoli or something, I  
21 think he was the detective, the last one I  
22 spoke to.

23 Q Was he the one that you gave the  
24 signed statement to --

25 A I don't know. I think that would be



1 Blank

2 my guess, but I don't remember the exact  
3 order of names.

4 MR. KAPLEN: Please mark this  
5 as Defendant's Exhibit 1 for  
6 identification, the witness statement.

7 (Whereupon a witness statement  
8 was marked Exhibit 1 for  
9 identification as of this date.)

10 Q Down on the bottom, it says there was  
11 a telephone interview by Detective Rooney?

12 A Where?

13 Q On the boom very last line, Rooney or  
14 Rooney?

15 A Yes.

16 Q Is that what you told Detective Rooney  
17 by telephone?

18 A Let me see the date up here. Yes. I  
19 do. This was very early on. I remember  
20 making this statement.

21 Q Would this be within a day or two of  
22 the incident?

23 A Yes, this was definitely within two or  
24 three days.

25 Q Take a look, if you will, at the time

1 Blank

2 of the accident. Was your visibility  
3 obstructed in any way up in the upper left?

4 A Yes.

5 Q You told Detective Rooney that there  
6 was heavy snow?

7 A I guess I did.

8 Q In answer to was your visibility  
9 obstructed and you said heavy snow?

10 A I guess I did.

11 Q He wrote down what you said about we  
12 were crossing Ninth Avenue, et cetera; is  
13 that correct?

14 A This is what he wrote down. Sounds  
15 familiar.

16 Q Above on the upper left where it says  
17 "Where were you at the time of the accident,"  
18 you said "We were walking eastbound on 37th  
19 street crossing Ninth Avenue"?

20 A Yes.

21 Q You don't mention the crosswalk there?

22 A No. I thought it was assumed.

23 Q My question is there was no mention of  
24 the crosswalk there?

25 A No, no mention of the crosswalk.

1 Blank

2 Q In the narrative, the full narrative  
3 below that, briefly describe this accident,  
4 there was no mention of the crosswalk, was  
5 there?

6 A It is not mentioned.

7 Q You said in there, "What was the cause  
8 of the accident?" and you said "Ten percent  
9 us not looking"; is that correct?

10 A I guess I did say that.

11 Q Down below, it says, "Did the vehicle  
12 swerve or turn to avoid contact," you said "I  
13 never saw him coming"; is that correct?

14 A If that is what it says, may I address  
15 that?

16 Q Is that what it says?

17 A That is what it says.

18 Q At the time of the accident, was there  
19 any other vehicles in the vicinity and you  
20 said yes, very few, and then you said we were  
21 talking, not really paying attention, and  
22 then you said you were walking at a fast  
23 pace; is that correct?

24 A That is what it says, yes.

25 Q Where it says weather conditions, you

1 Blank

2 said snow?

3 A I said it was snowing.

4 Q You said the road condition was wet,  
5 snowy and sloppy, correct?

6 A I don't recall saying that, but that  
7 is what it says. It was snowy.

8 EXAMINATION

9 BY MR. KAPLEN:

10 Q Mr. Blank, what did you mean by the  
11 statement that defense counsel has read to  
12 you, "Ten percent not looking, 90 percent him  
13 making a turn, not giving us the right of  
14 way"?

15 A I don't know where that holds up at  
16 this point. That is just something I  
17 should -- I don't think I meant and I don't  
18 think I should have said. I felt very -- I  
19 don't remember the day that this -- I don't  
20 remember actually making the statement, but  
21 there was a lot of residual and as I am  
22 finding out now, unreasonable guilt, and I  
23 felt very responsible for it.

24 A lot of that -- sort of had I been on  
25 the other side of her, you know, all of this

1 Blank

2 other stuff. Had we been a few inches  
3 forward or back. I felt very responsible for  
4 not being able to spot and avoid the  
5 accident, and I said I didn't see him coming,  
6 where it says that I never saw him coming  
7 prior to where it was too late. Clearly I  
8 saw the accident happen. But I did not see  
9 him begin his turn.

10 Q When you were walking eastbound on  
11 West 37th Street, you mentioned looking at  
12 cars proceeding towards you from 37th Street?

13 A Yes, I did see cars proceeding.

14 Q You were looking at cars proceeding  
15 that were in the lane immediately towards you  
16 which would be the left lane of 37th Street?

17 A Yes.

18 Q Was this truck that eventually struck  
19 Sabina proceeding in the left lane?

20 A He was not in that lane. I didn't see  
21 him in that lane.

22 Q Which lane would he come from?

23 A The right lane.

24 Q Did you expect any cars or trucks or  
25 vehicles to be making a left turn from the

1 Blank

2 right lane of 37th Street?

3 MR. BUTLER: Note my objection.

4 MR. KAPLEN: You can answer.

5 A From what I observed was mainly the  
6 turn lane and if indeed, he was cut off, as  
7 he claims, then I think my vision would be  
8 shielded by the cars in the proper turning  
9 lane. I didn't expect anyone from the right  
10 lane.

11 Q Making a left turn --

12 A Which I can only assume is not a legal  
13 turn lane.

14 MR. BUTLER: Objection to the  
15 assumption as to the law.

16 Q This umbrella that you carried, was  
17 that obstructing your vision?

18 A No.

19 Q You said that Sabina, in her own way,  
20 made a verbal statement?

21 A She screamed with regard to the car  
22 bearing down on her.

23 Q What kind of scream?

24 A High pitched. It sounded like it was  
25 something from a movie. It was very, very

1 Blank

2 loud and distinct. It was a very loud  
3 distinct scream for a second.

4 Q You observed her conscious on -- did  
5 you observe her conscious on the ground?

6 MR. BUTLER: Objection.

7 MR. KAPLEN: Let me finish  
8 first.

9 Q Did you observe her conscious on the  
10 ground for any period of time?

11 MR. BUTLER: Objection. Did  
12 you observe her condition, no  
13 objection.

14 Q What did you observe about her on the  
15 ground?

16 A At the moment where she hit the  
17 ground, I jumped after her to see her  
18 condition and there was a short period where  
19 she seemed to be somewhat responsive and at  
20 the moment where me -- and the nurse did not  
21 show up yet -- she was moving her lips, not  
22 making sounds and her eyes still seemed  
23 responsive.

24 At that point, I was kind of up,  
25 ushered out of the way by the nurse that took

1 Blank

2 over and she took over in her face trying to  
3 get her to answer the verbal queues, and  
4 about the time when the police arrived, she  
5 was saying I am losing her, she is not  
6 responding anymore. Then she went  
7 unconscious.

8 Q At all times while you crossed West  
9 37th, were you always within the designated  
10 crosswalk?

11 A Yes.

12 Q You visited Sabrina at the hospital?

13 A Very frequently at first.

14 Q While at St. Vincent's?

15 A Pretty much every day.

16 Q While you visited her at St. Vincent's  
17 Hospital, did you ever hold her hand?

18 A Yes.

19 Q When you held her hand, did she ever  
20 respond in some manner?

21 A It was very much day-to-day. She was  
22 very heavily sedated a lot. Especially  
23 during the first couple of weeks, where it  
24 was touch and go. She could go at any  
25 moment, but as she came out of it more and



1 Blank

2 more, they were able to lift the level of  
3 sedation. So there was times where she  
4 seemed almost responsive and conscious.

5 Q What do you mean by that?

6 A It happened to me once or twice, but  
7 you would hold her hand and she would squeeze  
8 back or a couple of times where her eyes were  
9 open. She seemed to be tracking  
10 conversations and I was in the room for a few  
11 of the times that doctors were in there  
12 trying to get her to follow, especially  
13 earlier on before the initial move, she was  
14 able to follow fingers. She responded to a  
15 verbal queue at one point while I was there  
16 and there was some very good wakeful times.

17 Q Which verbal queue did she respond to?

18 A Move your hand, I think, something  
19 like that.

20 Q You saw her do that?

21 A Yes. I was outside of the room.

22 MR. BUTLER: What was that?

23 THE WITNESS: I was outside of  
24 the room. This is very early.

25 Q At times, did you speak to her when

1 Blank

2 you went into the room?

3 A Little bit.

4 Q Did she ever look in your direction  
5 when you were speaking?

6 A There was times, yes.

7 Q Were there times where there was more  
8 than one person talking in the room?

9 A Yes, there was several people reading  
10 to her or having conversations around her.

11 Q Did you see her in any way, at any  
12 time ever respond to the multiple  
13 conversations taking place within the room?

14 A Yes. There was times where she  
15 appeared to be following and a couple of  
16 times where I remember her almost smiling.

17 Q Did you hear the sound of a horn  
18 before the impact?

19 A No.

20 MR. BUTLER: You said you were  
21 outside of the room. Can you explain  
22 that?

23 THE WITNESS: I was outside  
24 looking in and the doctor was in there  
25 doing routine things.

1 Blank

2 Q You were looking through the door?

3 A Open door.

4 Q During this period, do you understand  
5 if I use the word endotracheal, trache?

6 A The breathing apparatus.

7 Q During this entire time, did Sabina  
8 have a trache?

9 A That didn't go in until the second or  
10 third week. She had tubes down her throat  
11 for at least a couple of weeks.

12 Q The first couple of weeks, she had  
13 tubes down her throat and she had the trache?

14 A Yes.

15 Q At any time after the impact, at any  
16 time thereafter, did you ever hear Sabina  
17 speak?

18 A She did not verbalize. I didn't hear  
19 her speak.

20 Q Did you ever see D1, Defendant's  
21 Exhibit 1 before today?

22 A I have never seen that document.

23 Q Did anyone tell you what was in it?

24 A No. I mean I have memories of giving  
25 that statement, but I was not prepped as to

1 Blank

2 what it was.

3 Q I don't mean prepped.

4 A It is not fully unfamiliar to me, but  
5 I have never seen that as it is now.

6 Q Since this accident, other than the  
7 investigator from Mr. Kaplen's office, have  
8 you ever spoken to Mr. Kaplen?

9 A Yes.

10 Q When did you first talk to him?

11 A First time was I would say a month --  
12 no, it was early June because Sabina had  
13 passed away.

14 Q This is before her death?

15 A Yes.

16 Q What was the matter of that  
17 conversation?

18 A To go in and to look at photographs  
19 and try to give a little more clarity as to  
20 my memory, as a to my visual perspective of  
21 it.

22 Q Was there a telephone call first?

23 A I believe we spoke to schedule an  
24 appointment.

25 Q Did Mr. Kaplen call you, that is my

1 Blank

2 question?

3 A I don't recall who initiated contact.

4 I was --

5 Q How did you know of Mr. Kaplen's  
6 existence?

7 A I heard about him from Sabina's  
8 father.

9 Q Did Sabina's father ask you to speak  
10 to him?

11 A Never asked me to.

12 Q Did her mother ask you to speak to  
13 him?

14 A No.

15 Q In any event, did you?

16 A Yes, I spoke to him.

17 Q At his office?

18 A Yes. Back in June.

19 Q How many times?

20 A One time back in June.

21 Q Did you ever speak to him at any other  
22 time?

23 A This morning in his office briefly.

24 Q When you were at his office, did he  
25 show you this statement?

1 Blank

2 A No. We didn't look at documents.

3 Q Did he tell you what was in the  
4 statement?

5 A No. Just a visual.

6 Q Did he show you photographs?

7 A Photographs.

8 MR. BUTLER: Nothing further.

9 MR. KAPLEN: Thank you.

10 MR. CONNELLY: Thank you.

11 (Time noted: 1:46 p.m.)

12

13

14 MATTHEW CHIN BLANK

15

Subscribed and Sworn to before me

16

this day of 2007.

17

18 -----

Notary Public

19

20

21

22

23

24

25

1

2

## INDEX

3

4	WITNESS	EXAMINATION BY	PAGE
5	Matthew Chin Blank	MR. BUTLER	4
6		MR. KAPLEN	91

7

8

9

10

## INFORMATION/DOCUMENTS

11

DESCRIPTION	PAGE
-------------	------

12

Provide statement to investigator	80
-----------------------------------	----

13

14

15

16

## EXHIBITS

17

DEFENDANT'S

18

FOR IDENTIFICATION	DESCRIPTION	PAGE
--------------------	-------------	------

19

1

Witness statement	88
-------------------	----

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

I, ANGELO IODICE, hereby certify that the Examination Before Trial of MATTHEW CHIN BLANK was held before me on the 27th day of August, 2007; that said witness was duly sworn before the commencement of his testimony; that the testimony was taken stenographically by myself and then transcribed by myself; that the party was represented by counsel as appears herein;

That the within transcript is a true record of the Examination Before Trial of said witness;

That I am not connected by blood or marriage with any of the parties; that I am not interested directly or indirectly in the outcome of this matter; that I am not in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 30<sup>th</sup> day of August, 2007.

*Angelo Iodice*

ANGELO IODICE



1		
2		ERRATA SHEET
3	PAGE/LINE	CORRECTION
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

A		
<p>able 27:17 92:4 96:2,14  about 6:18 7:25 8:6 11:25 14:3 16:22  16:23 17:15 20:24 22:17,25 23:13  23:14,14 24:16 25:3,9,18,21 26:18  26:19 27:6 28:3 29:9,17 34:6 37:4  39:19 44:9 47:19 51:17 56:3 63:12  63:20 65:23 67:9 72:3,15 79:12  84:14 85:15 86:11 89:11 94:14 95:4  100:7  above 73:5 89:16  abreast 50:16  Absolutely 6:20  access 16:15,17 86:18  accident 26:11 32:13 47:24,25 58:8  65:4,12 66:12,19,21,25 89:2,17 90:3  90:8,18 92:5,8 99:6  accordance 7:13  accounts 16:16  across 55:14,17 56:11 58:4 59:19 63:5  65:9,16 68:11 85:5  actual 61:5  actually 22:14,19 32:17 44:17 46:10  77:24 86:23 91:20  address 4:10 14:17,19,20 15:5 21:24  90:14  addresses 8:8  adjacent 45:7 76:25  administer 3:17  advisable 26:5  affair 20:5 21:12  afraid 16:7  after 25:12 26:11,18,19 47:23,25  61:19 71:11 74:16,18,19,20 75:5,14  77:8,17 82:18,24 85:15 86:3,15  94:17 98:15  afternoon 18:20  again 40:10 41:4 48:13 49:20  against 1:7  age 9:5 11:14  ago 12:8  <b>AGREED</b> 3:5,10,15  ahead 45:6,9 46:16,20,23 47:3,8,9,9  82:18  <b>AL</b> 1:4  alert 74:12  Allen 28:19  almost 10:9 48:4 86:12 96:4 97:16  alone 55:9  along 41:16,20 43:23 44:3 50:15 62:3  already 44:14 71:21 74:11,13  always 8:7,9 23:17 25:7 27:9,9 29:3  33:3 43:3 44:10 95:9  Amboy 2:17  ambulance 86:9  amended 7:5  amount 12:6 17:15  Amy 87:7  and/or 31:8  <b>ANGELO</b> 103:3,23</p>	<p>another 58:4  answer 6:14 89:8 93:4 95:3  answered 74:14  answers 5:23,25  anybody 11:22 20:2 21:23 28:23  46:20 59:6 64:10  anymore 57:24 95:6  anyone 6:11 48:24 55:13,17 59:12  66:10 73:24 80:2 87:8 93:9 98:23  anything 22:25 31:11,16 33:2 42:10  46:19 48:20 59:4 61:12 67:16 76:14  83:16  anyway 27:16  anywhere 18:3  apparatus 98:6  apparently 20:22  appeared 97:15  appears 103:10  appointment 99:24  approach 44:9 69:25  approached 64:12 71:9  approaching 45:5  approximately 13:25 17:3 20:7 21:8  22:8 35:22 36:23 38:20 50:25 53:3  53:21  area 8:13,13 9:2,3 39:11 51:17 52:7  57:7 60:5,21,23 69:3,4 84:24 85:8  85:24  arm 42:10  around 17:2 20:21 24:20 27:17 35:24  36:19 37:5 42:10 46:18 48:7 65:13  97:10  arrive 46:25  arrived 48:22,23 49:3 86:16 95:4  Arts 35:3 41:5 45:24  asked 100:11  asking 54:7  aspirations 24:5  Association 19:11  assume 6:16 37:9 93:12  assumed 89:22  Assuming 16:17  assumption 93:15  astigmatism 43:13  attempt 41:10  attend 10:5  attending 17:24 18:3  attention 90:21  Attorney 80:13  attorneys 2:4,10,16 3:6  August 1:17 103:5  authorized 3:17  avenue 2:11,17 5:3 29:23 34:2 35:12  38:24 39:5 40:3 43:21 47:3 49:6,7  51:6,12 52:2,15,25 55:15,18 56:3,4  58:4 59:13 60:2 65:9,10 66:9 68:11  89:12,19  average 27:7  avoid 82:6 85:8 90:12 92:4  avoided 82:5</p>	<p>aware 6:25 38:11 51:24 52:5 64:20  away 7:2 9:21 62:11 78:16 82:21 83:2  83:4 99:13  a.m. 1:17</p> <hr/> <p><b>B</b></p> <p>B 4:2 45:24 102:16  Bachelor's 8:19  back 12:4,5,9 44:18 45:6 56:15 62:3,4  75:3,9 77:23 78:2,16 87:5 92:3 96:8  100:18,20  backed 55:21  backup 56:5,6  bad 25:3,4,20 26:3 73:13  bag 31:17,17,19 33:3,4,5,7,8,9,14  61:22 62:6,7,11 63:7  bar 13:6 39:14  Baron 39:14,16,22  barrister 1:15,22  <b>BARRY</b> 2:16  basically 32:6  Bay 8:13 9:2  Bayard 4:11 8:7,8  Bear 5:14,15  bearing 93:22  became 26:20  before 1:17 3:19 4:3 5:8 6:2,8,23 8:11  9:7 13:21 34:11 38:2 40:13,24 44:7  44:20,22 45:2 51:19 52:15,20 53:17  67:11 68:6,17 69:24 70:7,8,12 74:6  75:5 82:14,16 84:14 96:13 97:18  98:21 99:14 101:15 103:4,5,6,12  began 67:20  begin 92:9  beginning 10:10 40:10 49:18  behind 45:11 47:21 48:2,10 55:3,25  57:18  being 22:14 77:24 78:3 92:4  believe 15:10 23:11 32:14,16,20 45:21  72:21 99:23  below 46:5,11 90:3,11  besides 28:24  best 29:2  better 19:6  between 3:6 14:5,13 16:22 19:13 21:2  21:11,20 22:10 35:4 39:12 41:20  birth 11:15  bit 14:16 23:3 29:2 46:23 49:21 73:4  75:3 97:3  bitch 78:18 79:11 81:12  bits 79:6  black 32:11,17,17 33:11,22 40:23  73:20  Blackberry 61:11,16  blank 1:14 4:1,9,13 5:1 6:1 7:1 8:1 9:1  10:1 11:1 12:1 13:1 14:1 15:1 16:1  17:1 18:1 19:1 20:1 21:1 22:1 23:1  24:1 25:1 26:1 27:1 28:1 29:1 30:1  31:1 32:1 33:1 34:1 35:1 36:1 37:1  38:1 39:1 40:1 41:1 42:1 43:1 44:1</p>

<p>45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1,10 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1,14 102:5 103:4 block 47:12 blocks 36:6 blood 103:14 blue 29:24 30:17 31:24,25 body 68:24 boom 88:13 born 15:2 both 17:23 19:4 28:6 37:15 42:14 43:13 56:14 62:19 64:16,18,19,20 64:21,22,25 66:5 67:15 70:22 bottom 88:10 boundaries 83:21 Box 60:17 brakes 77:8 breathing 98:6 brief 87:14 briefly 9:23 90:3 100:23 bring 20:2 Broadway 1:16,23 10:23 34:21,22,23 brown 30:15 building 41:21 45:18 buildings 41:24 built 46:9 bunch 19:23 Buses 24:25 business 8:21,22 busy 17:23 25:23 64:4 68:9 butler 2:10,13 4:7,23 6:25 7:14 53:25 66:22 80:11 83:24 84:3 93:3,14 94:6 94:11 96:22 97:20 101:8 102:5 button 31:25</p>	<p>currying 31:15 32:25 62:14,18 cars 11:19 51:11,18 53:10 55:24 56:2 59:8 65:24,25 66:5 67:14,23 68:10 68:12 70:2 74:5 92:12,13,14,24 93:8 case 6:2 7:5 cast 46:18 caught 55:3 cause 90:7 cautiously 53:19 cell 15:15,16,21,24 61:9,14,17,19 86:21 cement 49:22 center 35:3,14,17,23 41:5 45:24 61:4 certain 21:14 52:23 certainly 7:21 certification 3:7 certify 103:3 cetera 29:10 89:12 chance 82:8 change 54:22 changes 18:19 check 59:15 checked 59:5 Cheese 63:13,17,20 childhood 29:5 chilly 31:14,14 chia 1:14 4:9 101:14 102:5 103:4 Chinatown 8:9 Chorus 18:15 Christine 27:23,25 28:24 cigarettes 45:14 Cipoli 87:20 city 2:12 11:24 14:22 47:11 CIV 1:6 claims 93:7 Claire 87:4 clarity 99:19 class 17:25 18:3 clear 35:21 66:25 cleared 77:15 clearly 58:12 92:7 clock 27:18 close 61:4 69:23 70:15 75:19,22 76:20 76:21,22 82:3 closer 16:25 19:23 35:6 41:8 49:9 57:17,20 64:10 84:18,20 closest 41:24,25 66:7 coat 30:20,22,24 cold 26:3 31:4 collapsible 40:19 73:21 color 30:22 31:21 32:10 33:10,21 53:22 54:8,9,10 Columbia 27:2 28:6 29:18 com 15:11 come 8:10 9:17 10:4 28:4 43:20 44:11 48:5 68:15 76:2,4,6 81:23 92:22 coming 38:12 47:15 65:25 66:2,3 67:14,24 72:9 74:6 82:9 90:13 92:5 92:6 commencement 103:7</p>	<p>common 13:16,17 17:20 communicate 75:2 community 21:25 complaint 7:5 completely 6:11 complex 46:2 concentration 37:16 concern 73:7,12,16 condition 29:9 42:25 49:14,24 63:3 72:11 91:4 94:12,18 conditions 90:25 connected 103:14 connection 4:24 5:2 12:24 75:25 77:21 connelly 2:19 5:22 7:16 16:6 101:10 connotation 66:24 conscious 74:24 94:4,5,9 96:4 consciousness 75:7 consistently 10:16 12:10 construction 84:24 contact 9:12 12:16 42:22 43:2,10 63:4 63:8 68:20,21,22 76:2,4,6 81:17,23 82:5,6 86:15 90:12 100:3 contacts 62:23 continue 43:16 49:7 66:23 68:10 continued 42:6 59:7 continuing 53:20 conversation 44:19 64:6 78:10 87:15 99:17 conversations 15:22 22:22 96:10 97:10,13 cops 78:25 79:3,5 copy 80:23,24 81:3 Cornell 30:2,2 corner 29:23 44:6,11,13,25 45:2 48:23 49:3 51:3 53:16 54:22 57:6 correct 7:14 29:20 60:21 65:5 89:13 90:9,13,23 91:5 CORRECTION 104:3 correctly 57:19 counsel 5:18 6:24 91:11 103:10,13 countdown 58:25 couple 26:15 44:19 47:14 56:2 73:3 77:6,9 86:19 95:23 96:8 97:15 98:11 98:12 couples 46:22 47:2,8 course 24:19 68:2 court 1:2 3:19 5:11 6:8 courtesy 73:19 cover 22:3 31:4 60:13 covered 49:23 70:22 cross 40:7 44:10 47:3 49:4 crossed 63:14,19 64:22 65:20 95:8 crossing 44:8 46:25 65:2 89:12,19 crosswalk 60:5,21,23,24 61:5 83:15 89:21,24,25 90:4 95:10 crumpled 76:12 curb 41:20,21 59:20,21,24 84:21,21 currently 28:15 34:22 curtain 37:2,5</p>
<p>C C 2:2 4:2 29:24 103:2,2 cab 25:5 26:8 41:10 58:9 Cafe 35:14,17 California 8:11 9:6,8,9,13 11:11 12:4 12:6,9,14 13:18,19 29:7 call 14:19 29:3 32:18 69:14 70:15 74:6 74:9,14 80:11 86:17 87:5 99:22,25 called 34:20 39:15 74:10 86:19 87:3,6 came 9:19 41:9 68:19 74:4 81:17 95:25 Canal 25:6 33:16 cancer 28:21 capacity 30:11 car 11:8,9,10,23 66:4 74:7 78:13 79:13 93:21 career 24:8 CARO 2:4 carried 93:16</p>		

cut40:16 78:18 79:7,14,19 81:12 93:6 cycle 54:17,18,19	97:25 dollar 33:17 dominant 50:11 done 73:14 83:10 door 42:5 98:2,3 dot 15:7,11 down 5:24 26:8 31:25 36:6 42:7 51:7 62:3 74:6 88:10 89:11,14 90:11 93:22 98:10,13 downtown 16:25 dramatic 37:10 dress 32:18 drink 38:23 drive 11:10 12:12 driven 11:21,22 12:3 driver 78:6 81:11 83:8 driver's 83:9 driving 12:7 56:18 dropped 77:19,22 Duane 34:4 35:9,16 duly 4:3 103:6 during 10:11,12,13 17:11,24 21:5 22:22 24:16 29:12,16,18,19 37:17 37:20 38:6,10 50:25 51:6 53:3,21 55:2,13 65:20 70:11 86:13 95:23 98:4,7 dust 77:15 D1 98:20	enough 50:3 73:14 entering 65:15 entire 9:3 29:19 36:21 40:21 98:7 entrance 46:12 51:25 ERRATA 104:2 especially 95:22 96:12 ESQ 2:6,13,19 ESQS 2:4,16 essentially 74:7 76:12 estimate 71:4,7,15 72:5 estimation 71:18 et 1:4 29:10 89:12 even 74:6 evening 34:15 event 100:15 events 7:10 24:19 eventually 65:4 74:9 86:22 87:5 92:18 ever 5:7,10 11:19 13:9,12,14 19:14 22:24 24:22 29:13,25 30:9 39:13 48:11,13 67:25 79:25 95:17,19 97:4 97:12 98:16,20 99:8 100:21 every 26:14 95:15 everybody 45:10 46:16 77:15 everything 55:25 75:24 81:14 exact 20:24 30:25 70:10 88:2 exactly 15:8 75:11 examination 4:6 91:8 102:4 103:4,12 examined 4:4 except 3:11 78:15 exchange 73:25 exchanged 48:19 excuse 35:3 49:12 61:8 65:3 Exhibit 88:5,8 98:21 existence 9:15 13:14 100:6 expansive 63:18 expect 92:24 93:9 explain 97:21 express 23:24 extend 40:18,21 extent 36:11 40:14 70:22 eye 63:3 eyes 43:13 74:25 94:22 96:8 E's 28:2 E-mails 17:17 21:14
D 2:10,13 daily 29:16,17 damage 78:5 83:10 danger 59:16 Darkish 32:11 date 10:17 11:15 14:5,5 20:2,2 22:18 73:7,11 80:18,21 88:9,18 dates 18:19 20:24 25:8 34:10 day 26:14,14 31:14 34:7 88:21 91:19 95:15 101:16 103:5,20 days 88:24 day-to-day 95:21 DE 2:4 death 99:14 decided 38:22 defendant 1:9 2:16 7:20 defendants 7:10 defendant's 88:5 98:20 102:17 defense 6:24 91:11 defer 67:2 definitely 44:7 49:22,23 72:14 88:23 degree 24:8 denim 30:17 depending 28:18 depicts 84:7 deposition 1:13 3:16 5:7 7:7,9,11 depressed 84:24 85:8,24 describe 90:3 described 40:24 DESCRIPTION 102:11,18 designated 95:9 desirable 40:17 despite 7:3 detective 87:17,19,21 88:11,16 89:5 detectives 80:3 87:13 Diego 8:11,12,14 9:3 difference 21:20 different 8:8 10:18 28:18 32:4,4 33:9 43:9 87:12 difficulties 36:16 dinner 34:18 35:11 36:8 direction 84:8 97:4 directly 35:9 58:21 103:16 discuss 22:24 23:4 37:20 discussed 38:22 Discussion 54:13 distance 43:11 47:12 71:5,17,19 72:4 77:5 distinct 94:2,3 distinctly 74:21 DISTRICT 1:2,3 doctor 97:24 doctors 96:11 document 98:22 documents 101:2 doing 18:13 20:10 29:10 59:17 68:14	E 2:2,2 4:2 102:16 103:2,2 each 23:7 87:14 earlier 23:5 72:16 96:13 early 6:3 88:19 96:24 99:12 east 55:17 65:18 eastbound 89:18 92:10 Edison 2:17 education 21:17 educational 24:9 effect 3:18 6:7 effort 58:8 82:7 85:7 eight 18:18 51:21 53:17 61:6 Eighth 29:23 33:25 35:10 38:24 39:5 39:12,17,23 40:4,6 49:7 60:2 either 19:25 33:12 43:24 44:4 61:18 64:11 elbow 42:8 electronic 22:2,5,23 eleven 7:25 else's 6:12 11:22 Email 14:20 15:5 16:2,3,5,9 21:13,20 21:23 employ 103:17 employed 10:14,15 Employees 19:12 employers 10:18 empty 55:25 end 64:13 endotracheal 98:5 engaged 64:5	F 103:2 face 95:2 Facebook 16:10 17:10 21:15,21,24 Facebook.com 16:18 facility 30:2 facing 53:12 fact 7:3 51:24 71:10 fair 37:8,15 73:6,8 fairly 12:10 fall 72:14 76:10 81:21 falling 49:25 85:8 familiar 39:6,16 53:15 89:15 familiarity 5:4 family 4:25 12:9,11



<p>fancy 18:14  far 47:9,21 48:2,10 56:15 60:3 64:13  71:23,25 72:3 77:3 84:11  Farsighted 43:5  fast 90:22  father 100:8,9  fears 23:25  February 5:2 8:2 12:19 13:8 14:6  20:22 21:3,6,12 22:18 24:11 29:21  federal 7:13  feet 7:25 61:6,6 72:3 77:7,9  fell 75:20 76:13,14 82:3  Fellow 28:25  fellowship 23:22  felt 91:18,23 92:3  few 10:22 11:3 45:9 46:22 47:2,8 53:6  72:16 73:25 86:21 87:11 90:20 92:2  96:10  fields 23:8  fifth 65:17  filing 3:7  Film 35:14,17,23  find 29:9 48:2  finding 91:22  fingers 96:14  finish 24:6 94:7  first 4:3 9:22 10:4,22 12:16,19 13:11  14:10 16:22 19:13 26:13 27:2 29:18  30:7,10 34:13 42:6 46:24,24 65:21  69:18,20,22 86:24 87:3 94:8 95:13  95:23 98:12 99:10,11,22  five 7:25 17:13 65:11,11 87:14  five-ten 7:25  flagging 26:7  flat 50:20,22 75:9,13  flurries 36:10 40:12  flurry 50:4  flying 76:13  focus 74:3 78:11  focused 48:16  fold 33:19  folds 33:18  fold-up 33:15  follow 96:12,14  following 14:10 97:15  follows 4:5  foot 73:5 82:21 83:2,4  footwear 32:15  force 3:18 6:7  form 3:11 65:8 66:15  forth 12:5  forward 7:7,8 68:15 75:20 82:3,5,6  83:6 92:3  found 23:19  four 9:5,7 65:11  fourth 65:15,16,19,23  Francis 6:2  frequently 95:13  fresh 79:21  Friday 18:24</p>	<p>friend 29:5  friends 12:18,22 13:2,15,17 14:11  19:23 27:13 86:19 87:2  from 8:10 9:5,7 10:15 11:14 12:23  13:17 22:12 29:7 35:9,16,25 36:4,8  41:17 45:11 49:16 51:16 52:14 53:8  58:5,6,16,21,23 59:25 62:11 68:25  69:6 71:19,23,25 72:9 73:7,17 75:9  75:23 77:4 78:8 79:6 80:8,17 82:24  83:4 84:10,17 92:12,22,25 93:5,9,25  99:7 100:7  front 47:5 55:7 57:18 69:14,14 76:22  76:24 77:2 83:5  full 15:9 30:24 34:17,18,19 71:21  76:15 90:2  fully 55:5,25 99:4  full-time 19:3,4  function 19:13,14,18  Functionally 21:22  functions 10:21 20:3  further 3:10,15 49:8 101:8  future 20:13 22:25 23:2</p> <p style="text-align: center;"><b>G</b></p> <p>galoshes 31:11  gathering 13:5,6,9,23 14:4,9 16:23  gave 79:16 80:6 87:23  gear 31:5 32:23 72:22,23  general 17:16  generally 18:19 24:15 29:2  generation 33:9  girl 27:23 87:3,7  give 14:22 80:2 99:19  given 23:22 80:16 86:21  giving 91:13 98:24  glasses 42:19,21 62:22,24  Gmail 15:7,12 16:10 17:10  Gmail.com 14:23 15:3,4  go 9:17 11:4 12:9 13:2 17:22 23:6,11  23:18 26:12,23 27:4 35:9 38:7,23  39:22 49:8 58:3 76:13 78:4 86:7  95:24,24 98:9 99:18  goals 24:9  going 7:7 19:18,24 27:11 28:20 38:23  39:2 41:13 51:12 52:11 55:21,23  64:13 65:16 66:6,6 70:14 71:15 72:5  74:12 78:4  gone 77:6  good 12:6 17:18 37:23 39:3,7 47:12  60:25,25 82:17 96:16  grandparents 86:24  gray 32:11  great 51:23 71:16  green 44:14,20 45:8 51:18 53:19  58:24  grille 69:15  ground 46:11 76:9,14,17 77:17 82:11  94:5,10,15,17  group 12:18 13:4 14:8,11 19:13,14,17  19:22 20:12 21:12 22:10,16,23 30:6</p>	<p>guess 47:6 57:11 69:5 83:8 88:2 89:7  89:10 90:10  guilt 91:22</p> <p style="text-align: center;"><b>H</b></p> <p>H 4:2,2 102:16  hail 58:9  half 8:6 20:9 47:11  halfway 65:13 71:20  hand 42:8 50:7,9,10,11 54:11 56:22  57:4 62:16 63:24 95:17,19 96:7,18  103:20  hanging 62:3  happen 25:22 92:8  happened 41:19 47:24,25 52:19 69:6  70:12 71:10,21 74:10 77:16,20  82:24 96:6  happens 29:8 56:8 57:22  happy 11:5  hard 14:3 17:13 76:14 77:8  hats 72:23  having 4:3 35:23 36:25 46:15 53:17  97:10  Hayes 26:25 27:4  head 31:5 32:23 72:22,23 73:4  health 19:6  hear 79:5 82:10 97:17 98:16,18  heard 13:16 79:8 100:7  heavier 40:12  heavily 95:22  heavy 40:11 51:16 52:13 89:6,9  heel 50:21  height 8:2 72:24  Heights 34:20,24  held 1:15 54:13 62:8 95:19 103:5  Helen 26:25 27:4  help 48:17  her 4:18 9:12,15 13:12,14,16 15:6,9  15:21,24 17:11 21:13 22:25 23:19  23:24 26:12 27:14 29:9,18 30:10,20  32:25 33:24 42:5,8,8,10 48:11,13,15  48:18,21 61:14 62:6,7,9 63:3,7  70:21 74:3,3,12,24 75:9,12,22  76:15,20 77:6 78:3 81:16 86:5,7,15  86:17,21 91:25 93:19,22 94:4,5,9,12  94:14,17,17,21,22 95:2,3,5,16,17,19  96:7,8,12,20,25 97:10,10,11,16  98:10,13,19 99:14 100:12  hereunto 103:19  High 93:24  him 69:25 70:3,4,5,8,11 78:10,15,17  78:20 79:2,5,8 90:13 91:12 92:5,6,9  92:21 99:10 100:7,10,13,16,21  hit 68:22 76:11 77:7,24 78:4 81:18,19  82:16 85:16 94:16  hold 72:24 95:17 96:7  holding 42:8,8,12 50:7 62:20 63:6,23  73:13,16 77:18 81:16,22  holds 91:15  honestly 30:25</p>
--	---	---

<p>             hopes 23:24              horn 97:17              horribly 31:3              hospital 26:12,21 27:15 28:15 30:3                86:6,7,8 87:6,14,18 95:12,17              hour 14:4 20:9 35:24 71:8,16 72:6              hours 18:23 19:4 37:3              house 18:12 47:20              huge 47:14              hundred 47:15           </p>	<p>             52:18 53:20 55:9,12 59:11 60:10,15              63:19 64:5 68:8,9 83:15              interview 88:11              invariably 25:4              investigator 80:7,8,17 81:7 99:7              102:12              invited 7:21              involved 69:11,12              involving 66:12 67:4              iodice 5:25 103:3,23           </p>	<p>             68:8,8              knowledge 85:20,23              known 13:14           </p>
I	J	L
<p>             IATSE 19:10              idea 16:5,9 21:16,23 23:8 31:9              identification 88:6,9 102:18              imaginary 60:2              imagine 79:13              immediately 48:4 78:9 82:21 86:19              92:15              impact 68:7,17,25 69:21 70:7,8,9              71:20,25 74:17,18,19,20 75:15              75:17,25 76:16 77:4,8,20,21 81:25              82:16 97:18 98:15              importantly 6:15              inc 1:16,22              inches 73:4 82:4 92:2              incident 5:2,4 24:17 66:20 67:3,5,11              69:13 75:15 85:12,19,25 86:3 88:22              indeed 93:6              independently 42:14 43:17              INDEX 102:2              indicated 31:18 71:12              Indicating 62:4              indirectly 103:16              industry 10:18,19 24:5              inevitably 52:17,18              inferring 73:10              INFORMATION/DOCUMENTS              102:10              informed 7:19              initial 96:13              Initially 10:22              initiated 68:22 100:3              inkling 19:22              innocuous 17:18              instituted 4:25              insurance 19:5,6              intended 23:16              intending 39:22 58:3              intent 6:19              intention 41:14 49:2 57:25              intents 75:12              interested 23:17 103:16              interests 17:21              intermediate 58:22              intermission 37:12,14,18,21 38:6,10              International 19:11              internet 14:15,17 17:6              interns 28:9              intersection 41:19 43:20,22 44:9           </p>	<p>             JAMES 2:10,13              January 9:19 10:6 11:16 24:12,13              jaywalk 52:9              jeans 30:16,17              jersey 2:11,12,17 12:9,11              job 18:23,24,25 19:3 39:10              jobs 10:22 18:4              journalism 10:24              judge 6:2,8,15              jumped 94:17              jumping 82:22              June 99:12 100:18,20              jury 6:8,16              just 8:25,25 13:6 17:8,21 21:17,23              23:2 24:7,8,18 26:9 27:10,13 28:12              29:24 31:3,4 33:3 36:6,9,10,14,18              38:21,23 39:2 40:10,16 43:13 49:19              50:2,3 51:14 53:19 55:25 58:18              59:10 60:2 61:17 68:6 72:3 74:2              76:12,13,14 77:15,22 78:19 79:6,7              83:2 91:16 101:5           </p>	<p>             lanes 52:4,22,24 56:15 58:13 64:16,18              64:19,20,21,23,25 65:10 66:5 67:16              last 12:3,6,7 28:3 33:20 51:14 87:21              88:13              late 24:23 25:11 68:4,5 92:7              later 16:24 80:19              laterally 55:10              law 93:15              layer 49:16,21              laying 76:25              leading 17:7 21:9 23:22 86:9              learn 48:11              least 55:10 56:14 66:3 98:11              leather 32:18              leave 34:5              leaving 45:13 72:15              Lee 27:23,25              left 11:14 12:4 42:17 43:18 49:11,13              49:20 50:10,13 52:21 57:15 58:7              61:20 62:4,16 63:21,24 64:14 66:11              67:22 71:20 81:15 83:9 84:17 87:4              89:3,16 92:16,19,25 93:11              legal 5:11 93:12              length 30:24              lenses 42:22 43:2,10              less 26:20,20 50:16              let 5:17 6:19 45:22 88:18 94:7              let's 22:14,15              level 46:5,8,10,13 96:2              life 9:4              lift 96:2              light 30:15,15 36:13 40:11 43:25              44:21 49:16 53:16,23 54:8 57:3,9,13              58:17 59:6,12,14 72:16 84:13,22              lightly 36:10              lights 56:16,17,18              like 13:6 16:6,11 20:11 24:8 26:3              28:19,20 32:3 36:14 38:4,11 40:9              44:9 51:4 59:6,7 61:12 93:24 96:19              liked 23:20              Lincoln 51:25 52:22,24              line 18:15 29:24 41:21 59:20,21,24              60:2 88:13              linen 32:7              lines 83:14,15,15,17,21              linger 46:18              lips 74:24 94:21              listening 78:24           </p>
	K	
	<p>             K 4:2              kaplen 2:4,6 5:22 6:21 7:15 16:6              53:24 54:12 65:7 66:14,18,23 67:3              80:13 84:2,4 88:4 91:9 93:4 94:7              99:8,25 101:9 102:6              Kaplen's 80:9,17 99:7 100:5              keep 73:17 74:12              kept 34:12              kids 16:3,7 23:21              kind 5:10 17:18 20:16 23:8,19 30:14              31:5,7 32:15,19,23 33:15 38:21              40:16 48:21 60:11 61:11,16 93:23              94:24              knew 23:7 52:3,6              know 6:19 9:10,15 13:21 15:8,8 17:20              18:22 19:18 20:6,16,16,24 23:5,5              28:13,14 31:10 36:23 39:8,18 40:5              41:18 45:5,9,21 47:11,23 48:19,20              49:9 52:17,18 53:7,19 54:8,8,15,18              54:19 55:19,20 57:11,23 59:6,8,14              61:4 62:7,23 63:3 64:12 67:9,21              68:19,24 70:10 73:9 74:22 75:10              76:13 77:12 79:11,20,24 82:10              85:20,23 86:24 87:8,25 91:15,25              100:5              knowing           </p>	

<p>literally 82:4  little 13:6 14:16 23:3 31:4,14 37:3  41:7 46:23 49:21 75:3 97:3 99:19  live 29:8  lived 8:5 9:2,5  living 30:4  local 19:10 27:13  long 8:5 9:25 14:4 20:7,8,9 25:13  35:22 36:24 40:5 44:25 45:4 54:15  74:22 77:7 86:3 87:9  look 16:12,14 83:12 84:5 88:25 97:4  99:18 101:2  looked 39:2 59:7 64:7  looking 20:23 64:6,8,9 68:10,13 90:9  91:12 92:11,14 97:24 98:2  losing 95:5  lot 13:20 20:17 27:14,24 39:7 49:22  52:10 78:14 79:10 91:21,24 95:22  loud 82:17 94:2,2</p> <hr/> <p style="text-align: center;">M</p> <p>M 2:19 4:2  made 7:4 25:7 68:21 71:21 93:20  maiden 5:13  mainly 16:2 37:22 64:9 93:5  major 78:12  make 20:12,20 21:10 58:8 64:2,13  71:18 82:7 83:13,16 85:7  making 59:9 88:20 91:13,20 92:25  93:11 94:22  manage 31:13  Manhattan 9:23 10:2,12  manhole 85:2,8  manner 76:8,10 81:21 95:20  many 8:24 17:3,10,14 21:8 22:8 25:6  51:20 53:8 56:13 65:10 70:11 79:14  79:19 100:19  mark 88:4  marked 52:4 88:8  markings 60:6,9,11,12,14,16,17,18,19  60:19  Marks 17:2  marriage 103:15  Marshal 28:4,5,13  Marymount 9:23,25 10:12  Massachusetts 9:6  matinee 18:22  matinees 18:17  matriculate 9:20  matriculated 9:22  Matt 4:14,16,17  matter 82:4 99:16 103:17  matthew 1:14 4:9,14 101:14 102:5  103:4  Matthew 4:16  MATT83 14:23  may 3:16 7:23 21:15 51:17 84:3 90:14  maybe 17:13 20:9 22:9 27:3,8 29:18  71:4,7,16  MC 2:16</p>	<p>meal 35:23  mean 6:18 25:15 30:17 47:4 58:15  66:17 72:25 76:12 78:19 80:4,25  87:8 91:10 96:5 98:24 99:3  meant 91:17  measurement 61:5  med 23:18  medicine 23:12,18,20  medics 48:22  medium 40:11  meet 26:2 29:22  meeting 14:10 17:18 20:12 22:10  34:14  meetings 14:13 20:13 22:16,23 23:5  30:6  member 19:7 21:25  memories 98:24  memory 48:25 79:21 85:6 99:20  mention 89:21,23,25 90:4  mentioned 39:24,25 90:6 92:11  message 21:15 22:3 87:4  messages 16:13 17:10,17 21:13 22:6  messaging 16:5 21:22 22:24  messenger 33:3,6  met 13:9 20:4 31:15 32:25 33:25 34:3  34:17  mezzanine 46:9,13  michael 1:8 2:6 4:24  middle 20:22 60:4,20 61:2 84:23  midnight 86:12  might 7:17 15:6 19:4 23:25 28:21  39:24 64:11 75:11  miles 71:7,16 72:6  minimal 15:23  minor 78:12  minute 44:18 75:4  minutes 72:16 74:23  miss 26:14  moment 44:15 68:6,17 70:13 94:16,20  95:25  moments 74:22  Monday 18:24  money 24:7  month 29:17 99:11  months 12:8 26:13,15  more 6:15 12:8 15:23 18:23 23:19  26:5 36:14 39:6,7 41:6 50:16 78:23  86:21 95:25 96:2 97:7 99:19  morning 100:23  mother 100:12  motions 59:9  move 56:24 96:13,18  moved 26:20 82:18  movement 58:2 64:3  movie 93:25  moving 74:25,25 94:21  much 13:25 21:19 24:24 26:10 27:17  48:7 77:5 95:15,21  multiple 97:12  music 8:18</p>	<p>musical 37:10,11  must 6:12 37:24 47:6 48:6 49:18  mutual 12:18,22 19:23 86:19  myself 84:19 103:8,9  Myspace 16:11</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:2 3:3 4:2,2  name 4:8,23 15:6,9 28:3 41:3 48:11  87:16  named 27:23 28:25 39:14 87:4,7  names 4:20 88:3  narrative 90:2,2  nature 17:16  near 25:5 84:10  nearer 65:22  nearsighted 43:5,6  necessary 24:23  need 20:16 21:24 44:10  needing 24:6  negligible 51:5  neither 72:21  network 16:4  never 5:9 11:21,22 13:16 29:14,14  74:14 81:3 90:13 92:6 98:22 99:5  100:11  new 1:3,16,16,18,23 2:5,5,11,12,17  4:4,11,11 8:5 9:17,19 10:4 11:20,21  11:24,25 13:18 14:22 24:10,15,20  30:3 67:14  next 6:3 38:22 70:21 74:5,5 81:22  82:9  nice 35:20 50:4  niche 23:19  night 18:17 24:23 39:10 43:7 45:20  47:17 51:16 62:24 80:4  ninth 5:3 35:4,11,14 37:22 39:20 40:3  40:4,5 41:18 43:21 47:3 49:6 51:6  51:12 52:2,15,25 55:15,18 56:3,4  59:12 65:9,10 66:9 68:11 74:6 89:12  89:19  nobody 45:7 55:10 59:17  none 59:8  Nonparty 1:13  normal 24:19  Notary 1:17 4:3 101:18  Note 93:3  noted 80:15 101:11  nothing 20:19 34:13 42:4 56:9 57:22  74:2 101:8  notice 58:17  November 10:15  number 15:13,24 60:24  numbers 86:18,22  numerical 58:25  numerous 78:14 80:3  nurse 48:3,9,21 73:25 74:11 75:2,11  78:13 94:20,25  nurse's 29:25  nutrition 28:8</p>
--	---	---



<p>             nutritional 23:12,20              NYC 14:22              NYU 12:23,24 13:3              N.Y. 1:23           </p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>             O 3:3              oath 3:17 5:24              object 6:21 7:16,22 66:20,24              objection 65:7 66:14 93:3,14 94:6,11 94:13              objections 3:11              observations 64:2 83:14,17              observe 43:24 44:4,23 64:18,22 65:23 66:8 67:12,17 69:10 71:6 85:4 94:5 94:9,12,14              observed 44:7 64:19,20,25 83:20,21 93:5 94:4              obstructed 89:3,9              obstructing 93:17              obstruction 58:14              occasion 44:4              occasions 52:16,20              occur 65:12              occurred 69:2              off 10:3,9 29:24 34:21,22 40:16 52:2 54:12,13 78:18,20 79:6,7,14,19 81:12 93:6              offense 7:15              offering 73:19              office 11:7 18:22,23 80:9,17 87:20 99:7 100:17,23,24              officer 3:17              offices 1:15              official 7:3 34:13              often 25:22 26:23              oh 22:13 44:2              okay 4:21 6:9 11:13 41:12 44:16 47:2 47:13,18 50:23 57:2 63:2 66:22 72:8 77:13 80:20              once 27:3,8 29:19 78:23 96:6              oncoming 53:7 59:8 64:9              one 10:3 14:8,12,12 16:12,14,20,20,23 18:5,7 19:25 22:9 26:9 29:3 32:3 33:7,12,16 37:12 39:18,19 40:3 43:10,10 51:6,9,18,21 54:23 57:14 61:18 66:4,4 72:21 78:16 86:9,20 87:3,11,14,21,23 96:15 97:8 100:20              ones 33:16,17,20 43:12 46:24,24              one-on-one 30:11              only 15:16 17:6 24:23 47:14 87:19 93:12              onto 52:15 66:9              on-line 16:4              open 31:13 96:9 98:3              opened 40:22 42:5              opportunity 43:24 82:2              opposite 55:20              oppressive 50:2              option 58:10           </p>	<p>             options 39:7              orchestra 38:14,17 46:3,15              order 88:3              other 14:8,12 17:6 18:7 22:16,19 27:13 30:6 37:9,14 45:15,19,23 47:21 48:20 49:6 52:12,16 67:23 70:2 73:23 79:25 80:5 84:20 90:19 91:25 92:2 99:6 100:21              otherwise 66:11              other's 23:7              out 6:23 13:15,20 17:8 19:24 21:10 26:3 29:9 31:4 33:19 36:12 37:4,6 38:7 40:8,15 41:9 42:5 45:22 46:17 47:15,17 48:2,5 50:3,5 53:18 71:11 73:15 75:7,23 78:6,9,13 81:6,7,8 87:2 91:22 94:25 95:25              outcome 103:16              outer 31:8              outerwear 30:19 32:8              outside 26:7 34:4 38:11,16 96:21,23 97:21,23              over 24:18 33:6 34:16 35:16 37:3 38:19,24 48:3,21 52:3 58:5 59:25 61:22 65:21 73:4 76:20 77:6 81:8 95:2,2              overcoat 31:3 32:9,12              own 11:8,9 85:20,23 93:19              o'clock 37:5           </p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>             P 2:2,2 3:3              PA 2:10              pace 8:20 9:18,20,24 10:8,10,14 17:25 90:23              PAGE 102:4,11,18              PAGE/LINE 104:3              pants 32:7              paradi 1:4 7:2 15:9              parents 7:9 86:17,25              parked 56:2              part 23:14,23              parties 3:6 103:15              party 7:18 13:4 103:9              pass 51:11              passed 7:2 99:13              passing 66:4              past 16:8 20:10 52:10 56:7              pattern 32:4,5              paying 90:21              pedestrian 43:25 44:5 53:16 54:9,10 54:15,22 58:18,20              pedestrians 45:6              pediatric 23:12              Penolio 28:25              people 13:7,20,23 17:23 19:23 20:17 27:19 38:12 45:11,13 46:22 47:15 47:22 55:2,3,6 78:24 79:10 86:23 97:9              per 75:21              percent 47:19 90:8 91:12,12           </p>	<p>             perhaps 5:22              period 10:11 16:21,22 17:3,5,11,24 21:11 53:4,22 54:2 55:3,13 63:10 86:13 87:9 94:10,18 98:4              periphery 67:13              person 24:24 26:10 97:8              personally 7:21              perspective 99:20              Phillie's 63:13,17,20              phillips 1:8 4:24              phone 14:16 15:15,16,16,18,21,22 17:4,7 21:6 22:14,24 27:9,12,20 61:9,14 86:21              phones 61:19              photograph 84:5              photographs 83:25 99:18 101:6,7              physically 22:19 30:8,10 63:7              pickup 67:7,8,12,14,17,19,21,25 68:16,20,22 69:11 71:6 75:14,18 76:2,5 77:3 78:6 81:11,18,18 83:11              picture 84:17              pieces 79:6              pitched 93:24              place 7:11 17:19 34:2 39:15 52:8 69:21 75:18 85:20,25 97:13              Plaintiff 1:5              Plaintiffs 2:4              plan 17:9 22:15 38:22              planned 34:14              planning 15:23              plans 20:13,20 21:10 22:25 23:2 34:15              play 37:10              Playbill 10:25 11:6 18:5 19:3              please 5:15 88:4              pleasing 36:14              pocket 61:10              point 6:23 24:6 35:20 36:13 49:8 53:9 54:24 56:9 58:11 65:13 71:25 72:9 74:11 75:2,5,6,21 77:4 78:16 83:18 86:16,20 91:16 94:24 96:15              pole 57:9,10,13,17,19,21              police 39:21 73:23 74:3,4,7,13,15 75:6 79:8,16,25 80:3,5 86:16 87:10,10,13 95:4              portion 30:2 65:22 69:10              portions 69:11              position 75:8              possession 81:2              possibility 40:6              potentially 52:8              pouring 26:8              premeditated 42:4              prepped 98:25 99:3              Presbyterian 26:21 28:16,17              presence 14:6              pretty 24:24 27:17 46:17 69:2,13 75:19 77:8 78:25 79:2 81:13 87:14 95:15              prevent 82:7              previous 49:17           </p>
--	---	--



<p>previously 64:20 prior 13:8 51:21 92:7 probably 6:3 37:4,5 42:4 47:19 51:14 54:17 66:5 71:19 78:23 proceed 35:25 proceeded 59:19 63:5 proceeding 5:11 71:2 92:12,13,14,19 proceedings 7:19 produce 80:12,21 product 80:14 program 28:10 progression 42:6 proper 48:22 93:8 properly 44:10 proposed 34:10 protect 73:7 Provide 102:12 proximity 69:23 Public 1:18 4:4 101:18 pulled 79:2 purposes 7:12 67:2 75:13 purse 31:17 pursuant 1:14 push 57:21,22 put 28:21 p.m 101:11 P2 84:5</p>	<p>15:5,24 27:24 30:21,22 31:7,21 39:21 44:14 47:7 50:18,20,20,24 62:13 77:12 79:9 87:16 91:6 100:3 recalling 37:2 recognition 70:13 recognize 84:7 recognizing 81:25 reconcile 24:7 record 6:22 54:12,14 103:12 red 54:11,16 56:22 57:3,4 58:21,24 refer 4:13,15,18 67:3,8 referred 22:2 regard 93:21 remember 17:13 30:12,25 34:7 55:16 56:21 57:5,14,19 77:20 78:8,17 80:18 81:13 85:9,10 87:19 88:2,19 91:19,20 97:16 rented 11:19 repeated 79:13 Rephrase 66:18 reporting 1:15,22 repositioned 75:12 represent 4:23 represented 5:18 103:10 representing 7:20 REQUEST 80:15 require 43:9 required 43:2 requires 18:23 reserved 3:12 residence 15:18 residual 51:15 91:21 respect 59:20,21 60:3 75:17 76:18 82:20 85:24 respective 3:6 61:19 respond 95:20 96:17 97:12 responded 96:14 responding 95:6 responsible 91:23 92:3 responsive 94:19,23 96:4 restaurant 39:13 restroom 38:14 right 5:16 9:20 20:25 30:12 35:24 39:10 41:23 42:16 43:17 49:8,10 50:9 51:25 56:4 57:8,20,23 60:4 61:2 62:2,9 65:13 70:7,12,17,21 75:22 77:6 81:16,20 82:24 84:18 91:13 92:23 93:2,9 road 60:7,9 91:4 Robinson 87:4 Ron 28:25 29:4 room 7:22 96:10,21,24 97:2,8,13,21 Rooney 88:11,13,14,16 89:5 rotation 28:18,21 71:22 roughly 37:6 round 74:5 routine 97:25 Rubber 32:20,21 rubbers 31:11 rules 7:15</p>	<p>running 59:6,12,14 runs 37:3</p> <p>S</p> <p>S 2:2 3:3,3 102:16 sabbatical 10:13 sabina 1:4 4:13,19,25 7:2 9:10 12:17 13:10,21,22 14:14 15:9,20 16:13 17:4 19:15 20:4,14 21:3,6 22:20 26:11 29:13,22 30:3,8 33:23 36:15 37:15 38:2 41:22 48:17 50:13,19 54:3 57:15 61:14 62:6,19,22 63:4,21 68:11,19 70:17 73:5,17 74:16 76:6,9 77:17 78:11 81:15,19,21 82:22 85:14,21 92:19 93:19 98:7,16 99:12 Sabina's 14:6 15:5 68:24 100:7,9 Sabrina 95:12 Sabrina's 7:9 same 3:8,18 6:7 8:2 10:17,18 14:11 16:5,9 17:15 21:16,21,22 28:10 31:24 32:5,6 33:8,9 43:12,12 45:22 72:15 San 8:11,12,14 9:3 Saturday 18:17 saw 56:12 58:18 60:19,19 67:13 69:16 69:18,19,20,22 70:11 71:9,17 82:8 90:13 92:6,8 96:20 saying 6:18 20:17 66:19 78:14,17 81:13 82:23 91:6 95:5 says 88:10 89:16 90:11,14,16,17,24,25 91:7 92:6 scene 73:24 86:4 87:12 schedule 99:23 Schoenfeld 18:8 39:11 school 8:14 10:5 23:6,18 24:6 scream 82:10,17 93:23 94:3 screamed 82:12,13,15 93:21 se 75:21 sealing 3:7 SEAN 2:19 seats 38:13 46:7 second 16:23 19:14,17 20:4 21:11 22:10 27:6 65:21 70:12,14 81:24 82:2,15 94:3 98:9 seconds 44:20 45:5 50:25 53:3,24 70:11 74:22 75:4 sedated 95:22 sedation 96:3 see 16:12 17:22 19:14,24 21:3 26:12 27:10 38:15 39:2 49:22 53:4 56:10 56:15 58:12 60:6,9,14,18 64:10 66:10 67:19,23,25 68:12,13,16,25 70:4,5,8 78:4,11 79:15 84:3,23 88:18 92:5,8,13,20 94:17 97:11 98:20 seeing 37:23 seem 57:14 seemed 23:21 59:9 71:3 94:19,22 96:4 96:9 seen 30:7,8,10 38:2 51:22 52:10,12,14</p>
<p>quarter 47:11 Queens 11:6,7 question 3:12 6:11,12,15,17,17 54:6 66:19 71:14 89:23 100:2 questions 5:21,23,24 7:17,23 queue 96:15,17 queues 95:3 quick 46:17 71:3,10,12 78:25 quickly 69:6 74:4 79:2 quite 29:2 73:4 quote 79:11</p>		
<p>R</p> <p>R 1:8 2:2 103:2 rain 26:8 Raining 26:4 raised 8:12 ran 38:14 48:3 Rarely 25:2 reach 86:25 87:2,8 reached 75:23 86:23 reaction 78:3 read 43:10 81:8 91:11 Reade 34:4 35:10,16 reading 97:9 real 75:19 realized 77:15,24 really 45:7 47:7 48:16,19 51:15 53:8 53:11 77:5 90:21 reason 6:10,14 34:11 39:4 42:2 77:25 reasons 19:5 recall</p>		

<p>52:20 56:6 69:24,25 70:3 98:22 99:5  selected 39:4  sellout 47:16  semester 10:3  send 17:11,14 21:23  sense 25:7  September 10:7  sequence 53:16,18  served 7:6  service 1:16,22  set 17:21 103:19  settled 49:16 75:24  seven 36:6  Seventh 39:12  several 13:15 27:16 74:21 97:9  severe 72:13  sharing 62:20  sharp 64:14  SHEET 104:2  shell 73:2,3  shielded 93:8  shirt 31:24,25 32:5  shoe 50:19  shoes 31:7,8 32:16,17,18  short 94:18  shoulder 31:18,19 33:5,6,7 61:22,23  61:25 62:2,6 69:2,4  shoulders 69:6,8,9  show 17:22 34:16,19 36:21,24,25 37:3  37:16,17,22,23 38:19 45:19 49:18  83:23 94:21 100:25 101:6  showing 56:22  shows 10:23 18:18  side 23:12 35:7,8 41:7,24 49:6 52:25  55:14,17,20,24 57:10 62:4,8 65:18  76:23 79:2 83:6,7,9 84:11,11,17,18  91:25  sidewalk 57:8,12  sign 53:16 54:9,10,16,22,23,25 58:18  58:20,24 63:20  signal 43:25 44:2,5,22 45:2 58:16,22  67:22  signals 56:20  signed 3:16,18 81:4,9 87:24  significance 14:25  significant 56:9 85:6  Silicone 8:13 9:3  simply 5:17  since 24:10 27:14 73:4 99:6  sir 5:12 71:14  sites 28:18  six 12:8 61:6 72:3  six-foot 72:4  slide 77:11  slightly 83:6  slip 85:11,13,14,17  slipped 75:7 85:18,21  sloppy 91:5  slowly 45:14  Small 20:9</p>	<p>smiling 97:16  snow 36:9 40:10 49:14,24 72:18 73:8  73:17 85:7 89:6,9 91:2  snowfall 49:17,17 50:2 72:11,17  snowing 26:4 36:11 40:14 91:3  snowy 91:5,7  social 13:2,23 16:4,22  Soho 12:22 16:24  sold 47:17  soles 32:19  solid 58:23  some 5:4,21 10:3 12:24 14:24 24:6  36:10 49:8 53:17 72:14 80:19,19  86:22 95:20 96:16  something 17:22 20:15 51:4 82:9  87:20 91:16 93:25 96:18  sometime 6:3 17:20 20:21 36:18  sometimes 20:18  somewhat 94:19  somewhere 12:22 14:9 28:22 38:24  soon 74:10  sorry 4:15 9:22 18:10 28:12 49:11,13  78:18  sort 75:20 77:23 91:24  sound 97:17  sounded 93:24  sounds 89:14 94:22  south 35:8 41:7,21 51:12 59:24  southbound 51:7  SOUTHERN 1:3  speak 14:14 15:20 17:4 21:6 28:23  29:13 48:13,15,18 73:24 74:16  86:14 96:25 98:17,19 100:9,12,21  speaking 16:21 78:14,21 97:5  specific 20:20 34:2  specifically 20:19  specifics 52:6  speed 70:25  spend 13:22 14:2  split 70:12,14 81:24,25 82:15  spoke 27:19 29:14 79:12 87:17,22  99:23 100:16  spoken 13:12 99:8  spot 92:4  springs 33:19  sprinkled 46:22 47:3,9 55:7  square 69:2  square-on 69:13  squeeze 96:7  St 17:2 26:16 87:17 95:14,16  staff 10:23 18:12  stage 16:8 19:12 46:10  standard 60:24  standing 26:7 54:21 57:7 70:16,21  75:3  start 6:23 70:4  started 10:7,9,14 36:9 44:8  starting 49:19  State 1:18 4:4 11:25  statement 6:22 79:16 80:2,6,12,16,23</p>	<p>80:24 81:10 87:24 88:6,7,20 91:11  91:20 93:20 98:25 100:25 101:4  102:12,19  STATES 1:2  stay 29:18 36:21 38:6  stayed 38:9,13  Steaks 63:13,17,21  stenographically 103:8  step 82:2,5  stepped 82:6  still 24:6 45:9 50:13 57:15 72:13,19  74:23 77:18 87:6 94:22  stint 27:2,6  STIPULATED 3:5,10,15  stop 44:13,17 75:14,18 83:12  stopped 45:2 49:19 51:2,13 53:4,7,12  54:2 56:10,11 58:13 63:9 75:16,21  76:19 77:4,14 82:19,20 83:3  stops 25:6  straight 58:3,23 66:3,7 72:10 76:11  strap 62:2  street 2:5 4:11 5:3 8:7 25:6 26:7 33:16  33:25 38:8 40:7 41:7,25 42:7 43:21  43:23 44:3,8 45:16 46:5,8,10,21  49:4 50:15 52:2,15,21 53:5,6,23  55:14,20,24 56:11,24 58:4,13 63:24  84:21,23 89:19 92:11,12,16 93:2  stretch 41:17 45:17  strike 67:16 70:19  stripes 32:2  strong 43:13  struck 92:18  study 8:17,22  studying 23:7  stuff 92:2  style 31:2,24 32:5 50:24  styles 43:10  subject 63:18  Subpoena 1:14  Subscribed 101:15  substitution 7:4  subway 24:21,24 25:10,15,17 26:10  successful 34:14  sufficient 72:18  suggestions 11:3  suit 4:24  Summit 2:11  Sunday 18:16 19:2 34:9  sure 15:7 20:15 31:12 50:22 53:11  56:8 67:13 81:13  surgery 86:11  Susan 27:23 28:7,12,13,24 29:2  Susan's 28:3  sweater 30:14,15  swerve 90:12  swerving 64:11  sworn 3:16,19 4:3 101:15 103:6</p>
T		
T 3:3,3 4:2,2 102:16 103:2,2		

take 11:5 24:22 25:11,14,17 26:5 36:12 49:8,10 58:5 82:2 84:5 88:25 taken 1:14 5:8,24 7:11 103:8 takes 25:12 77:7 taking 23:22 97:13 talk 20:9 63:10,12 78:15,20 79:5 87:9 99:10 talked 14:3,15 17:5,7 20:6 87:10,11 87:13 talking 26:2 38:12 39:18 56:3 63:14 63:20 67:9 79:3 84:13 85:15 90:21 97:8 tall 7:24 taller 73:5 tan 32:7 tannish 30:15 taxi 25:19,24 taxis 24:22 telephone 15:13 88:11,17 99:22 tell 6:12 41:3 51:17 53:8 56:13 70:25 75:10 79:18,23 98:23 101:3 telling 39:21 ten 13:6,23 45:4 50:25 53:3,24 90:8 91:12 Tenth 34:17 35:5,6 41:6,8 ten-minutes 87:15 ten-second 53:21,25 55:2,13 63:9 term 66:21,24 terms 57:25 terrible 73:15 testified 4:5 5:10 6:7 testimony 6:6 103:7,7 Thank 101:9,10 theater 8:18 10:20,20,23,24 18:8,24 18:25 19:11 35:2,10 36:2,5,9,18 37:9 38:7,9,15 39:11 40:8 41:2,9,17 45:12,13,19,23,24,25 46:7,12 47:14 48:5 51:19 58:7 59:25 61:20 72:16 theaters 45:15,18 Theatrical 19:12 Their 56:17 thing 20:8 21:21 57:21 82:9 things 16:4 20:11 24:8 78:15,17,22 97:25 think 15:6 16:7 28:9 30:16 31:2 35:15 38:13 39:20,25 41:2 44:17,18,19 48:6,9 51:14 56:25 57:5 58:16,23 59:2 61:17 62:23 64:15 65:14 68:9 73:9 78:16 85:18 86:23 87:12,21,25 91:17,18 93:7 96:18 thinking 70:14 third 30:9 65:14,14,19,22 98:10 thought 84:16 89:22 three 8:6 21:9 24:16,18 33:17 88:24 threw 77:23,25 throat 98:10,13 through 16:10,10 18:16,24,25 28:17 28:20 86:6,10 98:2 tickets 34:16 TIERNAN 2:16	time 3:12 7:6 10:3 12:3,6,7 13:11,22 13:25 14:12,14 17:9,12,21 21:2,5 22:15,17 24:16 26:19 29:19 30:7,9 30:11,21 32:13 34:5 36:23 37:22 45:8,22 49:15 51:6 52:16 54:21 58:6 58:6,7,8 61:19 62:25 65:20 67:11 69:18,20,22 70:5,9 72:12 75:8 77:14 80:5 83:13,19 85:11,19 86:13 88:25 89:17 90:18 94:10 95:4 97:12 98:7 98:15,16 99:11 100:20,22 101:11 times 17:4,6 21:8,9 22:19 29:12 51:20 51:21 52:12 53:17 79:14,19 95:8 96:3,8,11,16,25 97:6,7,14,16 100:19 tinted 43:14 today 5:18 6:6 7:8,17 98:21 toe 31:13 together 17:20,22 20:18 22:13,15 told 22:17 79:20 88:16 89:5 top 75:22 torso 69:7 touch 40:12 86:22 95:24 touched 75:23 toward 82:22 towards 41:6 62:11 92:12,15 trache 98:5,8,13 tracking 96:9 traffic 43:25 44:5,21 51:15,16 52:11 52:13 53:7,15,22 55:21,24 57:8,10 57:13 58:17 64:3,4,7,10 66:6,6 67:15 71:5 train 25:12,14 26:6,10 29:24 trains 25:5 trajectory 67:20 75:20 transcribed 103:9 transcript 103:11 transferred 8:20 travel 71:17 77:3 TRAVELERS 2:11 trial 3:13 103:4,12 tried 6:2 27:2 trip 86:6 trouble 36:25 truck 67:7,8,12,14,17,19,22,25 68:16 68:20,23 69:11 71:6 75:14,18 76:3,5 77:3 78:7 81:11,18,18 83:11 92:18 trucks 92:24 true 103:11 try 21:10 25:11,24 99:19 trying 17:8,21 24:7 44:18 48:16 74:12 74:25 78:11 95:2 96:12 tubes 98:10,13 Tuesday 18:16,25,25 tunnel 51:25 52:5,7,22,24 55:22,23 turn 52:14 56:20 58:20 59:9,10 67:20 67:22 68:2 70:4,6 71:3,13 90:12 91:13 92:9,25 93:6,11,13 turned 13:15,19 44:20,22 45:3,8 47:6 51:18 54:23,25 58:16 59:3,5 66:10 71:11 turning 52:21 64:11 66:8 67:18 70:3	93:8 turns 52:19 twice 27:3 29:17 96:6 two 8:8,25,25 14:9,13 16:19,23 18:4 20:10 21:9,15 22:16 26:13 28:2,11 29:17 30:6 37:3 40:2 43:9 45:17 51:18 52:4 58:13 66:4 71:9 74:23 82:21 83:2,4 87:12 88:21,23 two-theater 46:2 type 50:18 67:6 types 43:9
U		
U 3:3		
UCSD 8:15,24		
umbrella 33:13,23,24 36:12 40:15,17 40:18,23 50:3,5 62:14 63:6,23 70:22 72:19,25 73:2,3,8,13,15,16,20,21 77:18,19 81:16,22 93:16		
unconscious 95:7		
under 5:24 8:25,25		
underground 26:6 38:15		
understand 6:4,5,11 54:5,7 98:4		
understanding 6:25		
understood 6:16		
unfamiliar 99:4		
union 19:7		
union-preferred 19:5		
UNITED 1:2		
University 8:20		
unless 25:10		
unreasonable 91:22		
until 9:7 11:14 47:23 48:22 58:7,7 68:3,3,6,16 77:4 82:16 86:11 98:9		
upper 89:3,16		
upstairs 38:21		
upstate 26:24		
uptown 26:20		
use 4:20 98:5		
used 5:25 7:12		
usher 18:14		
ushered 94:25		
Ushering 19:6		
usually 25:10 27:24 59:15		
utilized 61:18		
V		
V 2:6		
Valley 8:13 9:3		
Van 87:7		
vantage 53:9 72:9		
various 17:20 27:13 87:10		
Vechten 87:7		
vehicle 66:13 67:6 69:21 70:19 71:2 71:17 76:18,18 77:2 82:19,20 90:11		
vehicles 51:11 52:14,21 53:5,11 56:11 56:12,14,16,20,23 58:12 64:15 65:24 66:8 90:19 92:25		
verbal 93:20 95:3 96:15,17		
verbalize 74:20 98:18		
verbalized		



29:14 very 5:17 17:23 25:11,11 26:9 35:20 36:9,10 37:23 43:6,6 51:16 69:6 71:12 72:3 74:4,4,5 75:22 79:21 82:3 88:13,19 90:20 91:18,23 92:3 93:25,25 94:2 95:13,21,22 96:16,24 Vesey 2:5 vicinity 90:19 Vincent's 26:16 87:17 95:14,16 Vintage 39:14,15,17,20,22,25,25 Vintages 40:2 visibility 89:2,8 visibly 74:23 vision 93:7,17 visit 12:11 visited 27:10 29:13 95:12,16 visiting 12:8 visits 29:17 visual 99:20 101:5 visually 36:14 voyage 5:13 V-E-C-H-T-E-N 87:7	went 7:8 8:14 9:23 17:8 19:17 21:10 22:12 26:24 34:17 35:11 38:21 40:2 51:18 56:15 58:23 59:10 65:9 66:5 86:8,11 95:6 97:2 were 8:2,12,24 9:6,9,13,25 10:11,14 10:22 11:10 13:17,20 14:6 15:22 16:12 17:23,24 18:3 19:21 21:14 22:18,19 23:8 24:4,15 26:7 27:14,16 27:17,19,22 29:17 31:23 32:12,16 32:25 34:11,15 35:22 38:10,17,23 39:2,22 41:5,13,22 42:2,7,14,19 44:25 45:6,9,11,13,25 46:3,15,23,24 47:10,21 50:7 51:2,12,24 52:4 53:4 53:6,15 54:21 55:7,9,12 56:12,14,17 57:7,12,17,18 58:3 59:19 60:3,4,20 61:2,4 62:9,14,18,20 63:4,7,14,23 64:7,12,13,15 65:2,19,25 66:3 67:23 68:13,14 69:11,12 70:16,16,21 73:11 74:13,24,25 75:6 77:17 78:17 78:25 82:18,19 83:20,22 84:8,13,16 86:3 87:6 89:12,17,18 90:20,22 92:10,14,15 95:9 96:2,8,11 97:5,7 97:20 98:2 100:24 west 5:3 52:25 53:12 55:14 92:11 95:8 westbound 51:9 56:23 wet 26:9 91:4 whatnot 45:14 WHEREOF 103:19 while 11:10,19 26:24 37:8 49:19 54:21 55:12 56:22 57:3,4 79:3 84:22 87:5 95:8,14,16 96:15 white 31:25 83:14 wide 60:23 width 60:25 wind 20:17 25:4 winter 25:23 witness 1:13 66:16 88:6,7 96:23 97:23 102:4,19 103:6,13,19 woman 48:8 women 25:8 Woodside 11:7 39:9 word 16:20,20 18:14 98:5 words 16:19 29:15 73:25 74:21 79:15 84:20 work 10:24 18:14 28:6 29:4 39:7,8 74:12 78:20 79:7 80:13 worked 27:15 53:18 working 18:4,21 23:20 27:16 works 28:13,15 worth 73:12 wouldn't 18:20 wound 76:9 woven 30:15 write 81:6,7 writing 22:13 wrote 81:8 89:11,14	Y yards 45:9 year 6:3 10:9,12,13 12:20,21 15:2 years 8:6,24 23:25 24:16,18 york 1:3,16,16,18,23 2:5,5 4:4,11,11 8:5 9:17,19 10:4 11:20,21,24,25 13:18 14:22 24:10,15,20 30:3 0 04 9:19 10:7 24:12,13 06 10:10 07 1:6 13:8 07306-2703 2:12 08337 2:17 1 1 88:5,8 98:21 102:19 1:00 25:12 1:46 101:11 10007 2:5 10013 4:12 1024 2:17 10271 1:23 11:23 1:17 120 1:16,23 15 71:4,4,7,15 72:5 15-minute 37:18 16 11:14 1983 11:16 2 20 2:5 71:4,7,16 72:6 2004 10:6,15 12:4,5 24:11 2007 1:17 5:3 101:16 103:5,20 21 9:7 212-732-8066 1:24 24 11:17 25th 5:2 8:3 14:6 21:2,5,12 22:11,18 29:21 27 1:17 27th 103:5 3 306 19:10 3640(JCF) 1:6 37 35:3,3 41:5 45:24 37th 5:3 34:17 35:4,7 41:10,16 42:7 43:21,23 44:3 45:15 46:21 50:15 51:9 52:2,14,21 53:5,6,13,23 55:14 55:18,24 56:23 58:13 59:20,25 65:24 84:21 89:18 92:11,12,16 93:2 95:9 4 4 102:5 40 49:9 408-892-8847 15:13 42nd 29:23 33:25 35:10 49:9 44th 35:14 45th 39:11
W W 4:2 wait 44:15,20 51:5 waiting 55:8,10 84:22 waived 3:8 wakeful 96:16 walk 36:8 41:13,16 44:2,22 45:3 50:16 54:23,25 55:14,17 58:4,21,24 59:3,5 63:20 walked 35:18 36:6 41:17,20 42:5,7 43:23 44:3 46:21 50:15 68:11 85:4 walking 36:16 41:23 42:3,14 43:16 46:20 70:16 73:11 81:22 84:9,10 89:18 90:22 92:10 want 12:19 50:3 52:8 wanted 23:9,11,15,16,18 wasn't 16:3 51:15 72:13,15 75:21 76:20 watched 64:14 watching 64:4 68:15 78:12 way 34:22 40:21 41:23 42:3,12 43:14 43:16 51:7,9 59:10,25 86:5,10 89:3 91:14 93:19 94:25 97:11 wear 42:21,22 62:22 wearing 30:13,21 31:8,10,23,24 32:12 42:19 50:19 62:24 weather 25:3,4,20 26:3 35:19 36:7 38:11 40:9 90:25 WEDINGER 2:16 Wednesday 18:20,21 week 12:19 17:8 18:18 21:9 22:9,12 27:3,8 29:18,19 33:20 34:7 98:10 weekend 25:12 27:8 weeks 14:10 16:23 20:10 80:19 95:23 98:11,12 weight 76:15,15 Well 16:9	X x 1:4,10 102:16 xxxxx 2:21 3:21	

5		
5:30 34:6		
52nd 39:17,20,23 40:6		
591 2:11		
6		
61 4:11		
7		
7 37:5		
7:00 37:2		
7:30 34:16 36:19 37:2		
70 47:19		
8		
80 102:12		
83 14:24,24		
88 102:19		
9		
9 11:16		
9:15 37:4,6 38:20		
90 74:22 75:4 91:12		
90-degree 71:22		
91 102:6		
911 74:7,9,14		